SENATE—*Thursday, March 7, 1996*

(Legislative day of Wednesday, March 6, 1996)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Sovereign Lord, guide the vital page in history that will be written today. As we begin this new day, we declare our dependence and interdependence. We confess with humility that we are totally dependent on You, dear God. We could not breathe a breath, think a thought, or exercise dynamic leadership without Your constant and consistent blessing. We praise You for the gifts of intellect, education, and experience. All You have done in us has been in preparation for what You want to do through us now.

And yet, we know we could not achieve the excellence You desire without the tireless efforts of others. We thank You for our families and friends, the faithful and loyal staffs that make it possible for the Senators to function so effectively, and for all who make the work of this Senate run smoothly. Help us express our gratitude by singing our appreciation for the unsung heroes and heroines who do ordinary tasks with extraordinary diligence. We praise You for the gift of life and those who make work a joy. In the name of Him who taught us the greatness of being servant leaders. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. LOTT. Mr. President, today, there will be a period for morning business until the hour of 11 a.m., with Senators permitted to speak for up to 5 minutes each with the following exceptions: Senator FEINSTEIN for 15 minutes; Senator REID for 15 minutes; Senator DORGAN for 20 minutes; Senator BAUCUS for 10 minutes; and Senator THOMAS for 30 minutes.

At the hour of 11 a.m., the Senate will resume consideration of the pending motion to proceed to Senate Resolution 227 regarding the extension of the Whitewater Committee. It is also our intent for the Senate to begin consideration of S. 942, a small business regulatory relief bill. This is legislation, I believe, that will enjoy overwhelming bipartisan support. I believe it was reported out of the Small Business Committee unanimously, and we hope that we can get an early agreement to proceed on that legislation.

It is also possible that a bill to temporarily extend the debt ceiling will be brought up. If so, rollcall votes will occur during today, and Members should expect that to happen.

Again, I want to emphasize that we hope to get that debt ceiling legislation up and considered. If not, it could conceivably be brought up on Friday. So I hope we can get cooperation in bringing up both the small business regulatory relief bill and the debt ceiling.

Mr. President, I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for morning business.

Mr. REID addressed the Chair.

The PRESIDENT pro tempore. The able Senator from Nevada.

Mr. REID. Mr. President, under the previous order, I request the Chair notify the Senator when he has 3 minutes remaining.

The PRESIDING OFFICER (Mr. GREGG). The Senator from Nevada.

ENDANGERED SPECIES ACT LISTING MORATORIUM

Mr. REID. Mr. President, about 11 months ago, I stood on this floor and indicated to this body that it was about to make a crucial mistake, a critical mistake. At that time the U.S. Senate was considering a moratorium on the listing of endangered species. Those people at that time who were calling for a so-called time out in the listing of endangered species, I do not think, or I hope, did not understand the consequences. They did not want to wait for reauthorization of this list. They did not want to wait for the reauthorization to take place through the legislative process. They said they could not wait for reforms to be deliberated and drafted by the committees of jurisdiction. In fact, Mr. President, they could not even wait for the Environment and Public Works Committee to consider the moratorium.

It was brought to the floor without a single hearing. There was nothing done in the way of a deliberative process to point out the inherent weaknesses of what was about to be done. In sum, they started, without justification, a piecemeal dismantling of the act, which is to jeopardize forever the existence of various species of plants and animals.

My colleagues reacted by giving pieces of history where the Endangered Species Act did not work well, and thereafter imposed the moratorium on any further listing of endangered species. One Member of the House of Representatives claimed at that time that "we must put regulators on a leash."

Mr. President, there are a number of ways to control regulators, but the path taken was, in my opinion, the worst path. The path taken was to cause damaging and unreasonable requirements. In fact, we had to simply stand by and watch extinction take its toll. No doubt that Member of the other body overlooked the only real impact, which is the increased risk to plants and animals in an endangered state.

Mr. President, now, not a single plant or animal has been added to the list since before April of last year. So, what good is this list? It initiates the recovery through a planning process and provides the benefit of State protections, and it affords restraint on Federal activities which jeopardize listed species, and that is the need for listing, to protect that which cannot protect itself.

What is it that we achieve by removing the protection? Everything the critics hate—the process, the definitions, the mission of the Endangered Species Act—they all remain the same. We have not changed anything of that.

Mr. President, I think there are problems with the Endangered Species Act, things that need to be changed. The moratorium does not change a single thing. It did not touch the definitions, the process, the mission of the Endangered Species Act. They all are just like they were before April 10 of last year. Instead, my colleagues simply waged a war on the variety of species that truly need protection. If reform of the listing process had been intended, anyone could have talked to this Senator, who is the ranking member on the subcommittee with jurisdiction, or my colleague, the esteemed, distinguished Senator from Idaho, the junior Senator, Senator KEMPTHORNE, who is chairman of this subcommittee, to talk about substantive reform. If the act was to be made more efficient, then my colleagues could have addressed the many proposals that were brought

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

forth by various coalitions throughout the last session.

But, if my colleagues were honest with themselves and would recognize that this moratorium sought neither to reform nor to protect but to prohibit protection of species, then I think we see the picture.

When the moratorium was passed in April of last year, there were about 80 species that had been proposed for listing. Today, there are more than 250 species listing decisions from the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. In 1 year, because of our inactivity, we have three times more than we had then.

We were also told that there are another 270 candidate species which need to be evaluated for either cooperative conservation agreements or proposed listings.

This has had a tremendous impact—the action taken by this body and the other body last year. It has had a tremendous impact on individual species. Once the Florida black bear roamed throughout Florida, southern Georgia, and most all of Alabama. Thousands of these bears roamed this part of the country. Today, if we are lucky, there are 1,200 to 1,500 bears remaining, and they are scattered and isolated.

The black bear, interestingly, Mr. President, is more important than just being a bear. It is known as an umbrella threshold species, whose own population well-being is reflective of the health of the rest of the habitat area and the other species in that same ecosystem.

Currently, there are insufficient conservation areas in Florida to adequately protect the habitat base needed for long-term survival of the State's black bear population.

This unique species, the Florida black bear, was scheduled to be listed by 1996. But now because of the moratorium, the very future of the black bear is bleak and really uncertain. Many scientists say the black bear is finished.

The west coast steelhead of the Northwest has also steadily lost its habitat and consequently consistently declined in population. This fish, which runs from California through Oregon and Washington and Idaho, is a game fish. The annual revenues from this sport fishery is valued at about $32 million. It is in danger because of activities now being carried out because there is no protection under the Endangered Species Act.

Logging, urbanization, agricultural water diversion, dams, and effects of hatchery fish on native populations are all happening without any restraint, without any concern for species conservation, and are now being carried out because there is no protection of the Endangered Species Act.

The bog turtle of the Northeastern United States was proposed for listing last year. Its protection was delayed because of the listing moratorium, and biologists are now wondering if the remaining populations will be viable once the moratorium is lifted. Probably not is the order. The bog turtle survives in wetlands which are separated by development. Consequently, the bog turtle has a difficult time finding others of the species to mate with.

While the moratorium is in effect and the budget cuts deny execution of the act's mandate, the Fish and Wildlife Service is prohibited from conducting any research or taking actions to prevent further decline of the bog turtle species.

The real tragedy is that there are countless others for which we have no current data and no concept of the welfare of the species. Extinction is forever. But we know there are some in trouble:

The swift fox;

There is a plant in New Jersey called the bog asphodel, a plant found only in the State lands of New Jersey;

The Topeka shiner was to be protected by an agreement of private landowners, but because more information needed to be collected, the agreement was not signed due to the moratorium.

All of these species which I have just talked about will be unmonitored and unprotected if the moratorium remains in place.

The moratorium, Mr. President, inherently costs time, effort, and species. I repeat that extinction is forever.

When we do resolve the reform issues for the Endangered Species Act, we will have to do a great deal of research over again. We will be playing catchup, and ultimately the moratorium will end up costing the taxpayers more to recover a species that is further down the road to extinction.

Mr. President, the moratorium does not benefit the landowners or the regulated interests. On the contrary, the future of species on their land is as uncertain as it ever was. When the landowners throughout the country come to my office, they do not ask that we stop trying to preserve species. I have never heard anyone say that. They say they want certainty in the process.

More importantly, the moratorium fails to acknowledge the permanency of extinction. We are spending time trying to come up with a reasonable approach to the Endangered Species Act. I have worked with Senator KEMPTHORNE, and I think we can come up with something. But I want to alert everyone here, Mr. President, as I did in the Appropriations Committee yesterday, that when the appropriations bills—this bill, which is going to have five bills wrapped into one, the so-called continuing resolution—comes up in next few days, I am going to offer an amendment to do away with the moratorium. That is the right thing to do.

What is needed is substantive reform. We need a more efficient listing process with a deadline, with peer review, and with State and local participation in the process, making recovery plans practical with such measures as deadlines, multispecies priorities, and cooperative efforts. That is essential to any substantive reform.

We need to bring non-Federal parties such as State and local governments and affected parties to the table to work cooperatively in a teamwork approach that is vital to bringing balance to the delisting and recovering process.

We need to establish a relationship with private landowners, and it must be changed to include voluntary conservation agreements, safe-harbor provisions providing the landowner protection for unforeseeable species habitat on their land, or private land, and we also need a short-form habitat conservation plan from minimal impact landowners.

In effect, we should not have one program for all. We need to have various programs to meet the circumstances. We can do that.

But this moratorium, in my opinion, is cruel, it is unusual, and it is unnecessary.

Mr. President, I have said on other occasions, and I say today, that we need to protect species of plant and animals. Extinction is forever.

Some within the sound of my voice may say, "What difference does it make? Why should we be concerned about an animal becoming extinct and losing it forever?" If we do not care about animals, why in the world should we care about plants?

I have a friend with whom I went to high school. He was one class ahead of me. We played ball together. He had a son. His oldest boy hit a home run in the Little League. He could not make it around the third base. When he got to home, the parents were a little concerned that maybe he was lazy. The fact of the matter was this little boy had leukemia. In those days, when children got leukemia, 20- or 25-years-ago, they died. They did not survive. Childhood leukemia was fatal. My friend's little boy died, and he died quickly.

Mr. President, as a result of a plant called the periwinkle plant, scientists found that the substances from that plant allow children to live. Children with leukemia now live because of the plant called periwinkle. Childhood leukemia is no longer fatal, because of this plant.

About 40 percent of the curative substances we take come from plants, many of them from the rain forests and other areas that are going out of business because of population density. I urge my colleagues who recognize the need for substantive reform of the Endangered Species Act, who understand the devastating effect of this moratorium, will support an immediate repeal of this devastating moratorium and allow us to move forward with a sound,

substantive, bipartisan reform of the Endangered Species Act.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

THE MAYR BROTHERS

Mr. GORTON. Mr. President, last weekend 170 employees of the Mayr Bros. sawmill in Hoquim, WA, were notified that they were about to be laid off. One-hundred and seventy individual workers is not a particularly large number in connection with all of the layoffs that have taken place across the Nation during the course of the last year. But this is almost the last 170 workers for this particular mill. They are in addition to several thousand others in the area who have lost their jobs during the course of the last 4 or 5 years.

Hoquim, WA, the location of the mill, is a small city of about 9,000 people. The Mayr Bros. mill is one of the few that remain in that city. It has been a mainstay of this community for 63 years at this point in its history. Hoquim, Mr. President, to put it mildly, is not a destination tourist resort by any stretch of the imagination. It is a working-class community that has provided wood and fiber and paper products for the people of the United States for the entire length and breadth of the 20th century.

These layoffs, however, are from a different cause than simply the dynamics of a constantly changing economy. They are taking place because of deliberate policies imposed by the Congress and by the administration with respect to the harvest of timber in our national forests and on the lands managed by the Bureau of Land Management of the United States.

It is particularly ironic in the light of these layoffs that the junior Senator from the State of Washington the day before yesterday introduced a bill that would effectively cancel all of the harvest on Federal lands all across the country that were authorized by a rescissions bill signed as recently as last July by the President of the United States, after extensive negotiations involving his office, my office, and that of the distinguished Senator from Oregon [Mr. HATFIELD].

The owner and operator of Mayr Bros. mill, Tom Mayr, has left four Federal timber sales. They are commonly referred to as section 318 sales, named after that section of the fiscal year 1990 Interior Appropriations Act sponsored by then Senator Adams and Senator HATFIELD to provide some interim relief while we determined the future management of our national forests. But even those sales specifically authorized by a fairly recent statute here have been held up for more than 5 years just while a study respecting the marbled murrelet has gone on in the timber area.

Now, Tom Mayr is not the only person who is affected by those provisions or by the Rescission Act provisions. Roughly 600 million board feet of Federal timber contracts have been held up by the Government. In each case they have one feature in common. They represent contracts which were signed by the Federal Government authorizing the harvest about which the Federal Government had second thoughts at some later period of time. As a consequence, if they are not carried out, the Federal Government will have very considerable contractual liabilities, at least $100 million—perhaps more than that.

Included in the Rescissions Act was language directing that the administration release these timber sales unless one of these marbled murrelets was known actually to be nested in the area. So they are sales in which there is no known nesting habitat for that particular species.

When President Clinton signed the bill, sale owners began to see some light at the end of a very long tunnel but then the administration changed its mind. Despite the fact that the language in the provision was very clear and was discussed with representatives of the White House before it was passed and signed, it has literally taken court orders to get the Clinton administration to implement the provision. As a consequence, fewer than one-half of the sales covered by the provision have been released and only those as a result of a court order.

Much has been made of these so-called salvage timber provisions in the rescissions bill, so an outline of precisely what they contain should be included in the RECORD at this point. First, the only one of the three areas covered by the rescissions bill language on timber harvesting contracts is section 2001(k). Two other provisions, one on timber salvage and one on the administration's own option 9 provisions, were designed simply to help the administration carry out its own promises. They required the administration to do nothing at all. If it wished to repudiate its promises with respect to salvage timber or with respect to the option 9 commitments of the President of the United States to the people of the Pacific Northwest, it is entirely free to do so unaffected by the provisions of the rescissions bill.

The areas that are covered by the bill on a mandatory basis involve less than 10,000 acres out of the 30 million acres of Federal forestland in Oregon and Washington, fewer than 1 acre out of 3,000. Let us put it in a slightly different fashion. If this provision were a permanent provision ordering this amount of harvest every year rather than a one-time provision to honor past contracts, in 1,000 years fewer than half of the acres in the national forests in these two States would have been harvested once. In 1,000 years, fewer than half of the acres would have been harvested one time. The 600 million board feet represents one-tenth of the historic harvest level in the forests of the Pacific Northwest and far, far less than the natural regeneration rate of those forests. We are talking about a tiny degree of relief, a very modest degree of relief both for the people of timber country and for that matter in connection with the demand of the people of the United States for forest products for paper production, for fiber production, for wood for the building of houses, and the like.

Even so, when the administration began to have second thoughts about this provision, Senator HATFIELD and I listened quite carefully to its views, and in the bill passed by the Appropriations Committee yesterday to gather together all of the remaining appropriations bills in one omnibus proposal we have proposed two changes. We have made it much easier for the administration to exchange particular sale areas that it thinks are especially sensitive for others that are less sensitive assuming that the contractor goes along. We have also made it possible for the administration to buy out certain sales if it can gain the consent of the contracting party, and it can. We know of areas, including Mr. Mayr's areas, in which it can do so. But it is required to use the money already appropriated to it and not simply to do as the administration wishes, to come up with another $100 million unaccounted for, to be added to the deficit to be sent as a bill to our children and grandchildren. If it can find other ways in which to come up with presently appropriated money to purchase these sales or can find other areas in which to make exchanges of such sales, it can do so.

I think it would be especially ironic if the legislation to repeal the rescissions bill were to pass in the immediate aftermath of this most recent set of layoffs. It shows a tremendous indifference to the faith of hard-working people who have paid their taxes and built their communities over the better part of this century.

There are those who claim to be offended by this law, so offended that they call for its repeal. I am offended; I am offended by their complete and total lack of compassion that this proposal shows to these hard-working people and to the American economy and to the countless others before them who have lost their timber-related jobs as a result of similar policies.

I am offended by the total indifference to the cost of the repudiation of legal contracts entered into by the Government, shrugging them off on the proposition that someone else can pay for them sometime in the future and that we will simply add another bill to the taxpayers of the United States.

Mr. President, we will be debating this issue during the course of the next several days. I will have some charts demonstrating graphically the statistics I have outlined, that we are talking about an extremely modest proposal. We are speaking of far less harvest than the President's own promises as recently as 2 years ago to the people of the Pacific Northwest. We are simply enabling the President to keep the promises that he made, that he now, in an election year, desires to ignore.

MEASURE PLACED ON CALENDAR—H.R. 497

Mr. GORTON. Mr. President, I understand there is a bill due for its second reading.

The PRESIDING OFFICER (Mr. SHELBY). The clerk will read the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 497) to create the National Gambling Impact and Policy Commission.

Mr. GORTON. Mr. President, I will object to the further consideration of this bill at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

A BALANCE IN SALVAGE SALES IN TIMBER

Mr. BAUCUS. Mr. President, I first want to make a general observation with respect to the previous Senator's statement on the salvage sales. I think we all agree that we are striving for balance here; namely, we want to assure that dead, diseased, dying timber, that is, salvaged timber, is harvested appropriately. That means there is a role to speed up salvage sales, but we also want to make sure we do not abuse our environmental statutes, abuse environmental protections.

I know the Senator, as all Senators are, is hoping to try to find the correct balance between those two extremes. One extreme is to go in and cut timber, dead, diseased, dying timber, and also green timber, as we do not want to abuse the salvage sale provision, but at the same time we want to make sure that our environmental statutes are adequately protected, because all Americans want balance and they want to make sure our forests are protected and want to make sure that they are also properly managed.

THE FUTURE OF MEDICARE

Mr. BAUCUS. Mr. President, it is all too easy for people in Washington to lose sight of what really matters. What really matters is how decisions made here in Washington actually affect average American families. The Medicare Program is a good example.

As the future of Medicare is debated, we are going to hear a lot of fancy words, a lot of concepts thrown around by both sides. But let us not forget that premiums, deductibles, copayments, and managed care mean nothing in and of themselves. Let us not lose sight of the bottom line. The bottom line is how the Medicare Program helps people, average, hard-working, descent people in my home State of Montana and across the Nation.

Are the proposed changes in Medicare going to actually help seniors live in dignity and security? Will they actually help average working families begin to plan for a secure retirement? Will they actually give these same families the peace of mind of knowing that they will not be forced to shoulder the costs of their parents' medical expenses?

Not long ago I was going through my mail from home and I came across a letter that helped drive these points home. It came from Mrs. Ethel Ostheller in Libby, MT. Libby, you might know, is a small town in the northwest corner of our State.

Mrs. Ostheller is 85 years old. She is widowed and lives off Social Security. She has had some serious health problems. She had a heart attack. She still owes a little over $700 to the hospital, and she now pays about $150 each month for prescription drugs, none of which is covered by Medicare.

She writes to me about these problems. Let me just read to you the closure of her letter which reflects her concern, but yet the optimism which is so typical of people across our country.

So with all of this, I'm worried [she writes]. I wonder what more can happen. But I'm not as bad off as lots of others. I'm trusting in God, living one day at a time, and I keep busy.

I think that typifies and represents the decency and the goodness and the basic common goodness of Americans.

How will any changes in Medicare affect people like Ethel Ostheller? That is what this debate is about. For her and thousands of other Montanans, Medicare is a health issue but also a pocketbook issue. It helps them plan for a secure retirement and to make ends meet. That is why we must work to assure that Medicare remains solvent and that the Medicare trust fund is not raided, not raided in order to pay for other programs or to pay for tax breaks for the very wealthy, as was the case in Speaker GINGRICH's budget last year. That is also why we must work to assure that the Medicare Program is run as efficiently as possible. Unfortunately, that is not the case for either Medicare or Medicaid today.

The General Accounting Office estimates that about 10 percent of Medicare's total costs result from waste, from fraud, from abuse. That is about $18 billion this year; 10 percent wasted or lost through fraud or abuse.

We all know that $18 billion is a lot of money, but let me put this in perspective: $18 billion is enough money to run the government of the entire State of Montana for 6 years.

More to the point, $18 billion is enough money to reduce the health care costs of every Medicare recipient by $500 each year. That is $500 each year Medicare patients now pay because of Government waste, fraud, and abuse in the Medicare Program. That drives up—that fraud and abuse—Medicare costs. It is robbing our seniors, robbing people like Ethel Ostheller, of hundreds of dollars each year.

How does this happen? Typically, it involves fraudulent billing practices by a Medicare or Medicaid provider; that is, a doctor or a hospital, one of the various providers. It occurs in every State in the Nation and in every segment of our health care industry. There have been abuses in ambulance services, clinical laboratories, medical equipment suppliers, home health care, nursing homes, physician and psychiatric services, and rehabilitation.

Let me cite some examples. These were uncovered by the General Accounting Office and also by the Senate Special Committee on Aging.

A medical equipment company in California billed Medicaid half a million dollars for merchandise they said they delivered to needy patients. What happened? It was a ruse. The patients did not need the equipment; the company never made delivery of the equipment, but they sent the taxpayers the bill anyway.

Another example: Medicare paid $7.4 million to a company for surgical bandages that were never used.

And still another case in Great Falls, MT—unfortunately, my home State: An ophthalmologist overbilled Medicare by $200,000. He was prosecuted and convicted by our U.S. attorney in Billings.

While these incidents may be extreme, they are not isolated. Frankly, I am disappointed with the Federal agencies that are supposed to have jurisdiction over all this. They have let this go unchecked for too long and have only recently begun to take action. I must say they are not alone.

A tough approach to fraud and abuse is almost completely lacking in the Gingrich plan that Congress is considering. The $270 billion in cuts, which was so harsh on beneficiaries and hospitals, contained a pathetically low amount for fighting fraud and abuse.

We must have zero tolerance for those who willfully cheat the Medicare system—zero. Ultimately, they are stealing money from ordinary Americans, average American families. They are stealing money away from seniors, people like Ethel Ostheller, who depend upon Medicare to help make ends meet.

They are also stealing money from millions of Americans who are working today and deserve to know that Medicare will be there when it is time for all of them to retire.

In the weeks ahead, I intend to come forward with proposals to get tough on Medicare fraud. I look forward to working with a number of my colleagues, both Democrats and Republicans, to find commonsense solutions to this very serious problem.

Thank you, Mr. President.

ACTION TAKEN ON H.R. 497 VITIATED

Mr. BAUCUS. Mr. President, I ask unanimous consent that the action just taken on the second reading of H.R. 497 be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota is recognized.

Mr. DORGAN. I thank the Chair.

(The remarks of Mr. DORGAN pertaining to the introduction of S. 1597 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

SEARCHING FOR PROSPERITY

Mr. GRAMS. Mr. President, when Minnesotans gather to talk about the issues that matter to them most, as they did on Tuesday at their precinct caucuses, there is a common theme that weaves between nearly all of them, especially when they are speaking directly from their hearts.

They are looking for a better life.

They want a good job that pays a decent wage. They want to put enough food on the table. They want a strong roof over their heads, for many, a place they can call their own.

And after the bills have been paid, they would like a little extra at the end of the month to squirrel away in a savings account.

The most striking truth about seeking that better life is that most folks aren't doing it just for themselves. They are pursuing it for their children, too, in the hopes of offering them the best opportunities for success.

In other words, they are searching for prosperity.

It is interesting that prosperity and the struggle to achieve it has spread across the Nation to become a major theme of the 1996 presidential campaigns. The media have just begun to focus on the troubles facing working people, and the stagnating wages and high taxes that have pushed prosperity out of reach for many middle-class families.

But where have the media been? Working families have been feeling the pinch for a long time.

"Our economy is the healthiest is has been in three decades," announced President Clinton in his State of the Union Address.

Is it really? There is plenty of evidence to the contrary—and four areas are especially troublesome:

First, the economy itself has dropped to a sluggish pace. The Federal Government released new numbers just last week confirming that economic growth has slowed to a trickle, up by only nine-tenths of a percent during the last 3 months of 1995.

Second, job growth has slowed as well, to about half the rate we'd expect to see in a normal recovery.

The U.S. Labor Department says that pay and benefit increases last year saw their lowest climb in about 14 years, since the Government first began tracking these statistics.

They could, in fact, be the leanest increases since before World War II, an unfortunate trend analysts say could easily continue.

Third, wages continue to slip as Americans take home fewer and fewer dollars.

Real weekly earnings for an average worker dropped three-tenths of a percent in 1995. That means families are taking home almost $800 a year less than they did before President Clinton was elected in 1992.

That is $800 they no longer have to spend on necessities such as groceries, medical expenses, or insurance.

Fourth, while the economy is slowing down, taxes have accelerated.

Americans have never paid a higher percentage of their income in taxes than they are paying today.

In 1950, an average worker paid about 2 percent of his earnings to support our Federal Government. Today, an average family sends 25 percent or more of its earnings to Washington, and that does not include the additional tax burden once State and local taxes are heaped on top of that.

Now if the economy itself was not blocking the road toward prosperity, the record high taxes alone would have done it. Together, they have proven to be a lethal combination for American families and American workers.

None of this will come as any surprise to middle-class, working Americans.

After all, they are the ones paying the taxes at the same time they watch their paychecks shrink.

But they can find some comfort in the fact that it is their anxieties—that is, the anxieties of parents hoping to eke out a better life for themselves and their children in the face of tremendous obstacles—that will perhaps become the defining issues of the 1996 elections.

It all comes down to economic growth, income, and jobs.

We know what is blocking the way, but how did the roadblock get there in the first place?

Do you remember the prank we used to pull when we were kids, when we would attach a dollar bill to the end of a fishing line and plant it in the middle of a sidewalk?

As soon as someone spied the bill and reached down to grab it, we would yank on the string, moving that dollar out of reach and leaving the poor victim embarrassed and empty-handed.

That is what the Clinton administration is doing to the middle class. They tempt working Americans with a dollar bill and the prosperity it represents, but they yank it away just as soon as somebody begins to get close to it.

Rather than offering opportunities for success, the Government has allowed working people to become trapped between falling incomes and rising taxes. Whatever you call it—the "middle-class squeeze" or the "Clinton crunch"—it is cheating the middle class out of their hard-earned dollars.

Just look at your paycheck, look at your tax forms, look at what you are paying for government, who is spending your money, and how they are spending it. In most cases, the bureaucrats have your credit card and are spending it, I believe, without any real accountability.

It should make Americans angry that much of the money they work so hard for is being wasted on programs that do not work, or plainly just cost too much.

Unfortunately, past discussions about issues like wage stagnation and economic growth have too often centered around the minimum wage or corporate profits, and that is not what working men and women care about, though.

They are interested in their net income—what is left after you take out Federal taxes, State taxes, payroll taxes. And under the Clinton administration, there has been less and less left over in your pay envelope, thanks in part to the President's tax increases and the Federal mandates that are sapping the precious resources of our job providers, businesses have been forced to keep wages lower.

They would like to invest their dollars improving salaries and benefits, but any additional dollars that might have been available to improve the lives of employees have been confiscated by the Federal Government.

Even when job providers find the means to offer wage and benefit increases, tax hikes mean families do not see much of a difference in their paychecks after it is done.

And so family incomes—the amount of dollars they have left to spend on food, transportation, clothing, housing, et cetera—have actually dropped every year of the Clinton Presidency.

A Government-mandated increase in the minimum wage is not the only solution—although many argue that is all we have to do and many problems would be cured—because low wages alone are not the problem.

The Clinton administration simply cannot stop spending, and requiring more and more tax dollars to feed that spending, taking away most of the money that could be used for better salaries, or new jobs.

If the Government would reform itself, if it would curb its spending and cut taxes, middle-class families would not need a hike in the minimum wage or risk losing their jobs because of it.

In our current economic climate, it is the working folks who have the most to lose. The wealthy do not need our help. The poor already have the safety net of welfare and the hundreds of Federal programs it opens up to them. But who is watching out for the working people? They are the ones being squeezed.

Yet the Clinton administration just does not get it, despite all the talk from the White House about the need to reform Government and balance the budget.

Just last week, President Clinton requested an additional $8 billion from Congress for increased domestic discretionary spending.

How can you go on national television one week to declare that "the era of big Government is over," and then come to Congress just a few weeks later, hat in hand, asking for another 8 billion dollars' worth of even bigger Federal Government?

Where do we get the money—higher taxes, or borrow it and make our kids pay?

My colleagues on the other side of the aisle still do not get it, either.

They staked out a new agenda of their own last week as part of a campaign to portray themselves as the soul of the working class. Incredibly, their proposal includes more job-killing taxes on the Nation's job providers.

That, of course, comes after they spent months trying to delay and derail our efforts to balance the budget and offer meaningful tax relief to American families.

Republicans have put on the table a balanced budget, welfare reform and Medicare reform. But who has stood in the way of getting that passed so the American people can begin to enjoy the benefits? It has been the Democratic leaders in this Congress and the President who have kept that from happening.

Mr. President, too many years of big Government have proven it: more taxes, more spending, more regulations, and more Government programs will not lead to more jobs and higher pay. We will never tax our way to prosperity or spend our way to economic success.

Unlike those Johnny-come-latelys in the White House and here on Capitol Hill who talk a good game about serving the middle class but never step up to the plate on their behalf, the taxpayers' agenda Republicans are fighting for has always been focused on the working class.

We have heard their calls for tax relief—and we delivered.

We have heard their calls for opening the economy to more jobs, better paying jobs—and we delivered.

We have heard their calls for balancing the budget and putting an end to the legacy of debt we have imposed on our children and grandchildren—and we delivered.

We have heard the pleas of working Americans who ask for nothing more than a chance to reach prosperity—and again we delivered.

In the name of America's working class, we shipped each one of those proposals to the White House—and the President sent each of them back stamped "Return to Sender."

Mr. President, the balanced budget passed by this Congress, with its tax cuts and incentives to help stimulate growth and create jobs, is the best way we can help average Americans troubled by an economy that is heading down.

We agree that the key to creating economic prosperity and good jobs is a healthy business climate.

We understand that those jobs can help instill independence and dignity, and create more opportunities for anyone trying to get ahead.

And we know that the key to empowering families to reach that better life, however they may define it, is to cut taxes and let them keep more of their own dollars.

Mr. President, for the working-class people of this Nation who have built their own success and today lead the lives they have always wanted, prosperity is not defined by the size of their last Federal handout or how much something they got for nothing.

It is oftentimes about building something out of nothing, which, after all, is the definition of the American dream.

I urge the President to put aside the election-year politicking and take a real stand on the side of the working class by working with Congress to right the economic wrongs created by his administration.

It is not too late to give prosperity a chance, but it would be irresponsible to make Americans wait until the November elections have come and gone before we really try.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized to speak for up to 30 minutes.

FRESHMAN FOCUS

Mr. THOMAS. Mr. President, you will be relieved to know I will not take 30 minutes. I have shared it with my friend from Minnesota.

Mr. President, the freshman focus has been in here now for a couple of days, talking about the economy and talking about ways that we can strengthen American families, strengthen the economy, strengthen wages, strengthen jobs. The interesting part of it is that is what we have been talking about here for the last year. That is what we have been talking about when we talk about balancing the budget, when we talk about regulatory reform, when we talk about tax relief. Unfortunately, I think in our communications too often the perception is that we are talking about those things because they are what is in our mind—tax relief and balancing the budget. We really ought to be talking about the benefits of those things. That is why we are doing it.

We are balancing the budget for a result, and one of the results, of course, is the fiscal and moral responsibility to pay for what we are using and not to put onto our children and grandchildren a $5 trillion debt, $260-billion-a-year interest payment, a lifetime interest payment for a youngster born today of $180,000. We really ought to be talking about that.

Our friends on the other side of the aisle stood up yesterday and said, "We want to start talking about the economy. We want to start the conversation."

Excuse me? That is what we have been talking about for a year. That is the very thing that the Democrats have blocked all year long—a balanced budget, help to create jobs, tax reform, so that people will invest money in the economy and create jobs so families have more money in their pockets to spend. That is what we are talking about, jobs and wages and an economy that grows.

Unfortunately, we have not always had the information. The President, I think, maybe this year, has said our economy has been the healthiest it has been in three decades. I am sorry, Mr. President, but maybe you need to look at some of the information that comes from your agencies.

Employment data: Unemployment rose from 5.6 to 5.8 in January. The healthiest economy in 30 years? Not for workers. Increases in workers' wages and benefits are the lowest in 14 years. After accounting for inflation, the rise in wages is an abysmal 0.3 percent. At least part of it is the fact that the economy has grown more slowly in the last 4 years than it has grown in the previous 15.

This year's growth was 1.8, I believe. The last quarter was .9 when we were more accustomed to 3.5, or 4.5 growth.

Why is that? There is a great argument about why that is, of course. The

Senator from New Mexico yesterday talked about a program in which the Government would decide which are class A corporations. We would have more regulation and seek to have the Government more involved. That is a point of view, and not one that I agree with.

On the contrary, it seems to me that what we need to do to spark the economy is to have tax relief so that there is more money in the private sector to invest in job creation and to do something about regulatory reform.

I come from a background of small business, and I have some idea of how costly it is to meet the requirements of the regulations. Nobody is saying do away with all regulations, but we are saying that there are ways to do it that are less expensive, that are more efficient, and that will encourage small business.

I do not know how many people have heard of small businesses who say, "I am not going to fight it anymore. It is not worth it. I have put in all of this effort and really take home very little."

So, Mr. President, that is what it is about, and we have an opportunity to do that. We have an opportunity—starting last year. And, frankly, we have had opposition from the White House. We have had opposition from the minority Democrats. They do not want regulatory reform. That is available. We can do that. Balance the budget—we are still in the process of that. What is so magic about balancing the budget, for Heaven's sake? We have not done it for 30 years. Everyone else has done it. You have to do it in your family. You have to do it in your business. It is a constitutional requirement in Wyoming. The legislature is meeting now. When they came, they knew. "Here is the revenue we have, and here is the expenditure that we are allowed to make."

They do not do as we have done in the Congress for 30 years and say, "Here is the revenue. Here is the expenditure. Put it on the kids' credit cards."

That is what we need to do in order to do something about the economy, Mr. President. I hope that we will do that.

SENATOR HENRY SCHWARTZ

Mr. THOMAS. Mr. President, I would like to acknowledge today one of my State's—Wyoming's—unsung heroes, Senator Henry Schwartz, who served our great State from 1936 to 1942.

Senator Schwartz did much for Wyoming. But today I would like to focus on his efforts during the 76th session of Congress when he had amended the National Defense Act to establish a school specifically for the training of black pilots.

While military opportunities for minorities increased after the Civil War—like the establishment of the famed Buffalo Soldiers who fought and died for our country on the western frontier—there were very few, if any, opportunities available in the Air Force, at that time, the Air Corps.

To challenge that trend, in 1939 representatives of the African-American community asked Congress to consider allowing blacks to be military pilots. The matter had been given little consideration until Senator Schwartz submitted an amendment to the National Defense Act which established a training school specifically for African Americans. The amendment passed with a vote of 77 to 8, and history was made.

With the help of the Senator from Wyoming, legends like Benjamin O. Davis, Jr., America's first black Air Force general and commander of the 99th Pursuit Squadron—also known as The Tuskegee Airmen—was given a chance to serve this country.

Past and future aviators, from astronauts to fighter pilots, will continue to rise in the defense of America because of Henry Schwartz's work.

So today I rise to acknowledge the work of Senator Henry Schwartz and sincerely thank him. His genuine belief in affording all Americans the opportunity to achieve is his legacy to this Nation.

Thank you, Mr. President. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. D'AMATO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

WHITEWATER DEVELOPMENT CORP. AND RELATED MATTERS—MOTION TO PROCEED

The PRESIDING OFFICER. The clerk will report the motion to proceed to Senate Resolution 227.

The assistant legislative clerk read as follows:

Motion to proceed to consider a resolution (S. Res. 227) to authorize the use of additional funds for salaries and expenses of the Special Committee to Investigate Whitewater Development Corporation and related matters, and for other purposes.

The Senate resumed consideration of the motion.

Mr. D'AMATO. Mr. President, I believe that we have a constitutional obligation to get the facts as it relates to the Whitewater Committee and its work, which is incomplete. It is not nearly complete. It is not complete for a variety of reasons. The fact of the matter is that just this past Saturday—actually late on a Friday—this committee received a letter from a very prominent lawyer. That lawyer represents Bruce Lindsey. Bruce Lindsey is President Clinton's close friend, confidant, and assistant.

For months and months and months, Mr. Lindsey and his attorney were aware of the fact that we were seeking all notes and all relevant material that he may have had in connection with Whitewater. We know that he was part of this Whitewater strategic team. We know that. Mr. Lindsey testified that he did not take notes. We were concerned and we had reason to believe that he did take notes.

Mr. Lindsey's attorney sends us a letter, very interestingly, dated March 1. That is after the deadline for our committee's work or the appropriation for our committee. He sends us the notes that we had asked him about, which he had first denied ever having taken. There are two pages, all about Whitewater and various questions—like who made telephone calls in connection with it to Bill Kennedy, Randy Coleman, Hale, and other people involved in it. And then he tells us in his concluding sentence that he has additional documents, and he claims a privilege—not a privilege between himself, being Mr. Lindsey's lawyer—but he raises a privilege between himself and these documents being sent, that they are attorney-client discussions and communications with the President's counsel.

Now, first, we have the White House saying they would not raise the issue of privilege. Second, we have no way of knowing if this information falls within that domain. Third, in order to keep his client from obviously thwarting the will of the committee and its subpoena, he cloaks this. Understand, if anybody can simply say that these are documents or information that I shared with the President's counsel, that would automatically thwart us from getting information. That is what this is about. This is a way of keeping information from us and not, obviously, being in a position where he is in contempt of a duly authorized, issued subpoena. That is what is going on. It is incredible.

Now, our attorneys have written to him. Our attorneys have written and we have asked to see the so-called privilege log that would exist, and we have been denied that. We have been given no response to this. Here we have people who want to cut off this investigation. They want to cut it off. Well, I have to tell you that when we get information that comes in after the work of the committee, that we hoped had been concluded, and get information from key White House officials, I have to suggest that that is why it becomes

very difficult and dangerous to set a time certain for the conclusion of an investigation.

Indeed, in the book "Men of Zeal," the former Democratic leader, Senator George Mitchell, said exactly that. He said this about when you set time lines:

> The committee's deadline provided a convenient stratagem for those who were determined not to cooperate. Bureaucrats in some agencies appeared to be attempting to thwart the investigative process by delivering documents at an extraordinary slow pace. The deadline provided critical leverage for attorneys of witnesses in dealing with the committee on whether their clients would appear without immunity, and when in the process they might be called.

This is exactly what is taking place—holding back documents and documentation until the critical moment. Wait until the committee goes out of existence and then say, "Oh, by the way, I was culling my files * * *" Look, that is preposterous. This is the second major player to do this, the other being Mr. Ickes and his lawyer. Guess what his lawyer found? Mr. Ickes is deputy chief of the White House. His lawyer found the same kind of information. Guess what? In the same way. He culled his files and found them. Why would you not undertake this when we issued subpoenas months and months and months ago?

There have been more editorials than this Senator cares to go through. Almost by a 5-to-1 ratio, the editorials say the Whitewater work should continue. Even though they did not say it should continue without a deadline, they indicate that, obviously, the work and the investigation has to be conducted in a way not to unduly politicize this investigation. We understand that there are political ramifications. We understand that on both sides.

I think it is instructive to look at two articles. One is the New York Times. I do not deprecate any source of editorials. They have a right to think what they do. I think it is instructive when they say, "The Senate's duty cannot be truncated because of the campaign calendar." That is the New York Times, not Senator D'AMATO. That is not a partisan vehicle for Republican or conservative policies. Very clearly, the question then is: What are my friends afraid of? What is the White House afraid of? What are they hiding? What are they hiding?

Now, it has been said that, "You will never end this." Look, I will put forth now that we are willing to say we will conclude this in 4 months. We think the trial will take 6 to 8 weeks, maybe a little longer. That would give us 6 to 8 weeks, depending on when the trial in Little Rock ends. Why do I say trial? There are key witnesses, who have been unavailable, that this committee would like to examine. We would like to examine them and find out what they know or what they do not know. By the way, some of them may be unwilling to come in.

I do not know how much more generous we can be. Certainly, to set a time deadline of April 5 is silly and would guarantee that we could not bring in these witnesses. It would guarantee, I think, the kind of thing that we got in that letter that was sent to us, in which the lawyer, in a very artful way, claims attorney-client privileged communications with the private counsel for the President.

What we will do is have all of these witnesses that we seek to get documents from simply talking to the President's lawyer, and then you have automatic attorney-client privilege raised. That is wrong. We may have to fight that out, and we may have to take it to the floor of the Senate and ask for enforcement of the subpoena, and we will do it. We will do it.

I do not know if those documents or that information will give us new information, information that we are not aware of. But I have to ask, "why would you hold this back?"

Why would you not let us see the so-called privileged log so we could determine whether or not this was noted as something that was privileged earlier on, or is this just a convenient way to keep the committee from getting information and the American people from getting facts they are entitled to.

I had a radio commentator who said, "I am sick of this Whitewater." I have to tell you, ours is not to be an extraordinary, wonderful show. That is not the job of this committee. Ours is not to be entertaining. Ours is to get the facts. That is what we are attempting to do. But we have been thwarted every inch of the way.

Again, here is the New York Times. What do they say? "The Senate's duty cannot be canceled or truncated because of the campaign calendar." Then it goes on to say something very illuminating: "Any certain date for terminating the hearings would encourage even more delay in producing subpoenaed documents that the committee has endorsed since it started last July. The committee has been forced to await such events as the criminal trial next week of James McDougal, a Clinton business partner in the failed Whitewater land venture."

Now, these are facts. Facts. We have not had the factual information we have required and we are entitled to. We have been dealt with, I believe, disingenuously by many of the witnesses through their counsels in holding back information. I cannot believe a lawyer, in terms of searching for information, would not have revealed the facts and information repeatedly. If one were to look at the transcripts of the testimony, we will see witnesses who cannot remember, who forget over and over and over again.

Officer O'Neill, the uniformed officer who was on duty at the White House the night of Vincent Foster's death, testified he was about to secure Foster's office. He saw Maggie Williams. Who is Maggie Williams? She is the assistant chief of staff to the First Lady, Hillary Clinton. He saw her carrying records out of Foster's office and place them in her office.

Now, his testimony is very detailed. Williams and other White House insiders present at the same time, deny the records were removed. Williams testified that she did not remove documents from his office.

The fact of the matter is we found documents, billing records that we know were in the possession of Mr. Foster. We know that; we have his own personal handwriting affixed to the billing documents. Guess where they show up? Upstairs in the residence of the White House.

Now, how do you think they got there? How do you think they got there? By the way, Officer O'Neill has no reason to make up a story. He is not going to make a story up.

We have another young man by the name of Castleton. Officer O'Neill says, "I saw Evelyn Lieberman walk out of the counsel suite; she stood in front of the doorway, and I looked at her." Again, locking the office was mentioned.

> A few seconds later, I saw her come out with Mr. Nussbaum, come out behind her, and I saw Maggie Williams come out and turn to the direction I was standing and carrying what I would describe as folders, and she had them down in front of her as she walked down in the direction of where I was standing. She started to enter her office. She had to brace the folders on her arm, on a cabinet, and then she entered the office and came out within a few more seconds and locked the door.

How did he know that this was Maggie Williams? He says, "When Maggie Williams did walk out of the office and walked in my direction, Miss Lieberman said, 'That is Maggie Williams. She is the First Lady's chief of staff.'"

He goes on.

> Question. A lot of questions have been asked about the fact you indicated some uncertainty whether there was a box on top of the folders. Are you in any doubt that Maggie Williams was carrying folders as she walked out of the White House counsel's office and walked past you into her own office?
>
> Answer. I am not in any doubt about it at all, sir.
>
> Question. Were you not sure, right?
>
> Answer. I was, yes, sir.
>
> Question. You are not playing games with us and not going to tell us you are certain about something if you are not?
>
> Answer. No, sir.

Let me continue here. There is a young man by the name of Castleton, a White House intern who worked on the Clinton 1992 campaign; this is not a person who is out to get President Clinton. He testified that at Maggie William's request, he carried a box of documents that had been removed from

Vincent Foster's office. This box was moved from Maggie William's office to the First Lady's personal residence. During the trip to the First Lady's office, Castleton testifies that Williams told him that the First Lady wanted to review these records.

Now, Maggie Williams, she does not remember. She did not remember. She says that she would never tell him that. Why would she tell this fellow this? That is what she testifies to.

Why would Castleton make up a story like that? How do you think realistically the billing files turned up in the personal residence—the billing files of the Rose Law Firm; the billing files that really point to critical times and dates; the billing files that demonstrate that indeed the Rose Law Firm and Mrs. Clinton in particular had numerous calls with Seth Ward, Seth Ward being the eventual purchaser, one of the purchasers of the Castle Grande property. I think there were 14 to 15 conversations, meetings and/or calls, during a relatively short period of time, during a matter of 4 or 5 months. This is not inconsequential. This is Seth Ward, Webb Hubble's father-in-law.

One would ask, why would Webb Hubble not have been doing that work? One would have to come to the conclusion, given the nature of those transactions—and those transactions wound up costing the American taxpayers, ultimately, $3.8 million, taxpayers' money—that those transactions were not bona fide. As a matter of fact, Federal officials have characterized them as "sham transactions" that really were the kind of thing that led to the looting of the bank.

"Let me ask you, when Mr. Chertoff raised the question to Mr. Castleton, did you understand that the box you were taking was a box of files that originated in Mr. Foster's office?"

"I did understand that, sir." This is Mr. Castleton, a young man that worked on the Clinton campaign; he still works at the White House.

Mr. CHERTOFF. You heard that from Maggie Williams?

Mr. CASTLETON. Yes.

Mr. CHERTOFF. Let me ask you, Mr. Castleton, on the way to the residence after you picked up the box, you were walking up with Maggie Williams on the way to your residence. What were you told by Maggie Williams about the box being taken up to the residence?

Mr. CASTLETON. I was told that the contents of the box needed to be reviewed.

Mr. CHERTOFF. Reviewed by whom?

This is a young man that worked on the Clinton campaign in 1992, a young man who was working in the White House, a young man who still works in the White House.

Mr. CASTLETON. By the First Lady.

Mr. CHERTOFF. And is this something that Margaret Williams told you as you were walking up?

Mr. CASTLETON. As we were walking from the place where I originally picked up the boxes to the residence.

Now, counsel goes on further. This young man is unequivocal. I have to ask a question: Why would he lie? Why would Officer O'Neill lie? Why would he lie? He had no reason to make this up. Why would somebody who, as a partisan, has every right to be for one or the other—he went out and worked for the President—why would he would deliberately just make this up out of his head?

And then, do not forget there were intervening times. They could have said, "I imagined; I heard." He did not do that. It was unequivocal.

Counsel says, "Now, what did Margaret Williams say to you?"

"Miss Huber, she called."

Miss Huber is a longtime Clinton aide who eventually found the billing records. Where? In the personal residence of the First Lady and the President.

Miss HUBER. She called and said that Mrs. Clinton had asked her to call me to take her to the residence to put this box in our third floor office. We call it an office.

Mr. CHERTOFF. Had Margaret Williams, on an earlier occasion, talked to you about storing records in the residence?

Miss HUBER. No.

Mr. CHERTOFF. This was first time you had ever done that?

Ms. HUBER. Yes, sir.

And you specifically recall that the First Lady had made that request?

Yes.

Now, look, is Ms. Huber lying? Is Officer O'Neill lying? Ms. Huber has spent 20 years with the Clintons. Do you think she lied? She did not lie. She told the truth.

Listen to this. It is very instructive. It is very instructive. This woman, Ms. Huber, is the person who stores personal documents and puts them away for the Clintons.

Mr. Chertoff says, "Had Margaret Williams on any earlier occasion ever talked to you about ever storing records in the residence?"

And Ms. Huber says, "No."

Again, I think this is rather interesting. This is the first time. So Mr. Chertoff says:

This the first time she ever had done this?

Yes, sir.

And she told you specifically the First Lady had made this request?

Yes.

Now, let me tell you something. Here we are talking about three people, three people. Officer O'Neill, who says that he actually saw Maggie Williams removing documents from Vince Foster's office. She denies it.

Here is the second young man, Mr. Castleton. He worked for President Clinton in the campaign. He still works for the White House; he obviously has an affinity for the President and First Lady. He has no reason to make up an adverse story. What does he say? He says Maggie Williams told him, "We are bringing these documents up to the First Lady." And, "The First Lady wants to review them." Wants to review them.

He did not equivocate.

"Are you sure," we said.

"Yes."

"Are you sure?"

"Yes."

And then we take Ms. Huber, a woman who ran the Rose Law Firm. She was the office manager there. She was in charge of the Governor's Mansion. She is a special assistant at the White House, a close confidant of the Clintons. She is the woman who stores their various papers, such as, I think she testified, income tax records and other papers, deeds of their homes, et cetera. We are talking about a trusted confidant, a friend of the Clintons.

And get this. You must understand how unusual this set of transactions were. Mrs. Clinton, again, gives an order, an order that Maggie Williams relays to this young man. She says, "We have to take these documents upstairs because Mrs. Clinton wants to review them."

When we asked Maggie Williams about that she denies it. "Why would I tell him?" Of course she told him. He did not make that up.

But are we going to say that Officer O'Neill was wrong? That this young man made up this story? And that Ms. Huber, Carolyn Huber, who has been with the Clintons for years and years and years and years, that she would dream this up? Listen to what Mr. Chertoff, our counsel, asked. He said:

"Had Maggie Williams on any earlier occasion talked to you about ever storing records in the residence?"

Ms. Huber said, "No, no."

"Mr. Chertoff. This was the first time she asked you that you had done that?"

"Yes, sir."

"And she told you specifically that the First Lady had made these requests?"

She says, "Yes."

Are we really saying here that Ms. Huber made this story up? That she lied? Listen to the question:

Had she told you specifically that the First Lady had made this request?

Yes.

Had you ever been asked to do this before by Maggie Williams?

No.

These are the kinds of things that we find. They may be embarrassing. I have not brought these out before but, I tell you, it demonstrates the need to continue and to get the facts. And then we have the mysterious—I call it the miraculous appearance of these documents.

Let me ask you, how do you think the documents got there, given the testimony of Officer O'Neill? Given the testimony of Tom Castleton, a young assistant who works in the White House, who said he was instructed to take the documents there and that

Mrs. Clinton wanted to review these files? That is what he was told by Maggie Williams. Given the fact that Carolyn Huber had never been asked by the chief of staff for the First Lady to take files upstairs? She had been asked by the First Lady, had been asked by the President. Indeed she was their confidant. Never been asked before, but, more specifically, had been told that these instructions came by way of the First Lady.

And then where do the files, the billing records, show up? Do you really wonder how they got there? Do we really believe the butler brought them there? How could the butler get his hands on them? Did he go into Vince Foster's office, unseen by anybody and everybody? Do we really want to be serious about this? Or do we want to trivialize it and say, "Well, it is political."

We can do that. That is fine. I am used to that. That is fine. What the heck, they have a file over there on me at the White House that their staff has been directed to compile, that they sent over to the DNC. I did not know that was the kind of thing that our Government was involved in. I did not think that the White House should be doing that kind of thing. I have heard about enemies' lists in the past. Is that the kind of business we are in? We want to stop the investigation? This is what we are going to do and we do not care who we slander and how we do it? And do we really use Government employees to become engaged in this kind of thing?

It is bad enough if you are going to do that out of a political party. Let them do it. I do not say it is good. I do not say it is bad. It takes place. But, I mean, are we going to have Federal employees at the White House engage in that kind of thing? Are we going to have them be instructed by their counsel, by one of their counsels, who tells them: Let us get a file. Give us all the dirt you have on the Senator and send it over to the Democratic National Committee so we can get one of their guys to go out and continue to make regular attacks.

It is not going to keep me from calling them as I see them. Let me tell you something, if there are facts that are exculpatory and there is nothing wrong, then, fine. This is just one little, tiny area.

If we want to talk about this for days and days on the floor of the Senate we can do that and we will continue to do that. And let me serve notice, you may block this by way of a rollcall, a party rollcall. People have a right to vote any way they want. We will continue this work. And if we have to do it through the Banking Committee, we will do it.

Let me tell you, I have not asked to go beyond the scope of that resolution and I have resisted calls to get into other areas. I have resisted them. But my inclination will not be to do that if we are forced to go through a very circuitous process, in which ours is to get the facts.

When the New York Times—you can quote 32 others and you can quote letters to the editors, et cetera, that say this is a political witch hunt, this or that—when they say that we should continue the work and gather the facts, do not truncate this, I do not think there can be a clearer call.

Let me go on. Here is Mr. Chertoff, in discussing some events with Miss Williams. He says, "The fellow that helped you take the box, the papers, up to the residence?" She is talking about this young Castleton, Mr. Chertoff is. Miss Williams says, "Yes."

Mr. Chertoff, the counsel said, "Did you tell him that the reason that documents had to go to the residence was so that the President or the First Lady could review their contents?

"No," she says. "I do not recall saying that to Tom Castleton."

Mr. Chertoff then goes on, "When you say you don't recall, are you telling us affirmatively that you didn't say it or are you just saying that you don't have a recollection one way or the other?"

"Miss Williams. Well, I would like to say—" now listen to this—"affirmatively I did not say it, because I cannot imagine why I would have that discussion with an intern about the files, going to the President and the First Lady. I know that I told them we were going to the residence because I figured he needed to know where he was going. But I cannot imagine that I said more than that. So I do not recall having the discussion with him."

Mr. Chertoff later on goes on:

Well, let me read you—that this intern testified in his deposition, starting at line 7, page 139, and he said, "And, what did she tell you? Answer: She told me that they were taking the boxes into the residence." That part you agree with?

Ms. Williams says, "Yes."

Mr. Chertoff then says:

And, did she say where in the residence? Answer. No. Question. Did she say why you were taking them there?

Here is Mr. Castleton:

She says "yes."

Question. "What was her statement? She says that the President, or the First Lady, had to review the contents of the boxes to determine what was in them. You disagree with that?"

Ms. Williams. "Yes. I do."

Mr. Chertoff. "And you also do not agree with Mr. Nussbaum's testimony that in his discussion with you he indicated that the documents would go to the residence and the Clintons would be there and they would make a decision where they go? You disagree with that?"

Ms. Williams. "No. That is not what I recall."

Mr. Chertoff. "You disagree with both of those?"

Ms. Williams. "That is not what I recall."

Mr. President, here we have a Secret Service officer, Officer O'Neill, who testifies that on the night of Vince Foster's death, that he sees Maggie Williams moving these documents—and he testifies with particular clarity. Maggie Williams denies that and takes polygraph tests. They sustain her contention that she did not do that. In fairness to her we have to say that.

I think we also have to understand and note that we do not know how many polygraph tests she may have taken. There is also a very real question with respect to the reliability of them given the manner and the circumstances in which they are administered. But there is no reason, no earthly reason, for Officer O'Neill, who has been on the security detail of the Secret Service for some 17 years, to have conjured up his testimony or to have made that up or to create or to fabricate.

No. 2, this is just one little part. But I focus in on it because I think it answers the question as to how the documents got into the residence—the documents being the billing records that just came to light in January, months and months and months after—2 years after the special counsel had subpoenaed them.

So people knew. I mean, the White House lawyers knew. Everyone knew that these documents were requested and were sought for 2 years. They were covered by a subpoena. They were covered by our request and subsequent subpoena in October.

(Mr. COVERDELL assumed the chair.)

Mr. D'AMATO. Mr. President, let us take a look at this. So we have the officer. He sees files being removed. We then have the testimony of Mr. Castleton, the young White House intern who is now working at the White House and worked for the President in his election campaign in 1992 and probably will be working on this one. So he has no reason, no hostility, no animus to try to create a story. He says that Maggie Williams told him they were taking these documents up to the White House because "Mrs. Clinton wants to review them."

Then we add to that Mrs. Huber, Carolyn Huber—who worked for the Clintons for 20 years, was really in charge of their personal day-to-day matters, the archiving of important documents, their deeds, their tax records, et cetera. She is the person who says that when she initially found these billing records back in August of last year—and I believe her—she thought they were being left there because things were generally left on the table, the Clintons would leave things on the table to be filed by her, and that is what she did.

She took these and put them into a box and carried them downstairs to her office where she would review eventually that and other materials to decide

where they should be placed. It was not until January 4 that she discovered what these were.

How did these documents get there? Who had them? Who had control over them? Who deliberately withheld them from the special counsel, from the RTC, and from others? How do you think they got there? Do you think Officer O'Neill dreamed up the fact that Maggie Williams took documents out of Vince Foster's office? Do we think this young man, Tom Castleton, dreamed up the fact that it was said that indeed Mrs. Clinton wanted to review these files, and they were carried up, she asked to have carried up these boxes of documents. And what about Mrs. Huber, a Clinton confidant for 20 years, who ran the Governor's mansion in Little Rock, was office manager in the Rose Law Firm and is an assistant now in the White House, who is in charge of archiving all of the most personal of their documents? Do you think she made up the story when she said, for the first time—never before, you have to understand—she passed an assignment to carry documents up by the chief of staff, Maggie Williams, to the First Lady? This is the first time the First Lady asked her. She was specific in saying that this took place and Mrs. Clinton wanted to look at these papers.

Is there any wonder why? This is not something that you could easily lose—a slip of paper, a scrap of paper inadvertently in the bottom of a desk drawer or in a file that one would not come up with, you know, the general file. These are the records.

Why do you think the records were discovered in August? That was the very time when the RTC was raising questions with respect to the various transactions.

What is illuminating about this is that there are a number of times, occasions, when the Rose Law Firm—in particular, one of its partners—had conversations with Seth Ward about a transaction that was characterized by Federal banking regulators as a "sham." This is a transaction that would eventually lead to the loss of $3.8 million of taxpayers' money and, obviously, one with which Webb Hubbell did not want to have his name associated because the deal maker in that case was his father-in-law, Seth Ward. His father-in-law. That is why he had another partner on that deal. I do not know what they were going to do. But eventually Seth Ward had to pay back $335,000 when the bank collapsed and the RTC said, "You are going to give us back this money." He had a big lawsuit between McDougal and the bank. He won that lawsuit because lots of the facts that probably should have been presented at trial—the fact that it was an inside, cozy deal—really did not come out. There was $335,000 in commissions that Ward got for not doing a darned thing. Why give that money for not a thing? There was a 10-percent commission for land that was sold by this fellow McDougal, partner to the Clintons, from one bank to the other.

Now, look, the pattern continues. Documents are produced because they fall into the hands of the people who cannot nor will allow themselves to be placed in a position of obstructing justice. When Mrs. Huber eventually realized what these documents were and that they were subpoenaed materials, when she saw them on January 4, she did what she was supposed to do; she called this attorney, called White House counsel. They came over and made copies. The committee got them.

So how do you think the documents got there? Do you think they were in that box that young man carried up there? If they were in that box, then how is it, as maintained by the White House, that everything was sent over, that nobody looked at this. I think that is the most unreasonable, incredible story I have heard.

Let me tell you why. You had a lawyer, a trusted confident and lawyer, who met an untimely, tragic death and he had some of your most sensitive papers in terms of your tax treatment and liability in terms of a variety of issues that could be certainly embarrassing and certainly important to you. And he died, and you ask someone either at his office, a coworker, a secretary, "Please get me those documents because I want to have them transferred over to my new lawyer." If you wanted them to be transferred directly, would you not ask them to transfer them directly?

But would it not be more reasonable, and perfectly appropriate, to say I wish to look at these documents before I send them over to my lawyer? There may be things that are relevant or irrelevant, pertinent or not. There may be documents in there that have nothing to do with us.

And, indeed, very interestingly, there was a document that apparently made its way up to the White House. It made its way up to the White House and somehow mysteriously got kicked back because it was not germane. Now, the Clinton lawyers did not send that back. We have not found out how it got back. That is the mysterious document that travels in reverse. We do not know how that document got back.

But the point of the matter is, it would not be unreasonable for anyone, anyone, least of all the First Family, to want to review these. And so it becomes very, very difficult for us to understand, some of us, how it is that the billing records show up. And, indeed, if no one reviewed the documents, you would have suspected or imagined that they would have been there. These were documents that Vince Foster was working on. He has notations all over them, his own personal hand. So how do you think the documents got there? You do not think that they were transported there?

And what about the documents that Tom Castleton transported? Wouldn't most people want to see what documents concerning your own life were being sent to a new lawyer? I think it is absolutely extraordinary to believe that you would have no interest in checking this out, that you would leave it to someone else, that you would leave it to a new lawyer. It is very difficult to believe.

So what would the conclusion be if one were to say it would be difficult to believe? It means that somebody did look at these. But, you see, once you take a stand and put out a story as the White House did—because I think they were embarrassed when it was discovered that these documents were secreted away in this closet for a period of time—they had to come out and say, yeah, they were, instead of saying, sure, the Clintons looked at them. It would be natural. But, see, they already denied that: No, never looked at them, never.

I think that would be one of the most unnatural things, illogical things, not to look at your own papers, not to look at your own papers, not to say, well, what is there? At least I know what we sent over to our new lawyer, after their lawyer, their friend, had died in such a way.

But, see, once you make a story up, you have to stick to it. And so the mystery of the disappearing, then the appearing, billing records, I think becomes rather logical. They were in possession of the White House, the First Family, right since the day that young Mr. Castleton brought those files, all of those files up there to be reviewed.

Now, for the life of me, I cannot understand why they did not say, of course, we looked at them. What would I say? Would I say it was wrong or evil for the First Family to look at their own personal papers? Of course not. It would be illogical to suggest that they should not or would not or could not. And I know when I have heard colleagues say, oh, well, they would be accused of all kinds of conspiratorial things if they looked at them. Come on. That is nonsense. People have a right to look at their own documents, the President, Vice President, anybody.

So here we are at this point in time. The record is replete with these kinds of inconsistencies, and I think they are more than inconsistencies. I believe that Maggie Williams did not give us testimony that provided all the facts to us. I believe that she did not accurately relate the facts, particularly with respect to the instructions she received about moving these documents and who they were there for, and I think that helps answer the question of the mysteriously reappearing documents.

Let me cite again the New York Times:

The Senate's duty cannot be truncated nor canceled because of the campaign calendar. Any certain date for terminating of the hearings would encourage even more delay in producing subpoenaed documents than the committee has endured. The committee has been forced to await such events as the criminal trial of the McDougals.

I am ready and willing to do the work of the committee as expeditiously as possible. Notwithstanding, we should not set arbitrary time limits. Why? Because that provides an opportunity, as has been stated before, for purposeful delay that I believe has occurred before this committee. And I do not know of anyone who can say that we have received all of the documents. How can you say that? I got a letter from a lawyer on behalf of one of President Clinton's closest aides that says he is not turning over documents to us, and he is raising a privilege that the President said they would not. We are going to cooperate. So I know for certain that there are documents that we are entitled to that are being withheld deliberately—deliberately.

I say that I would be willing, and I ask my colleagues on the other side, to consider putting a time limit of 10 weeks after the Little Rock trial concludes, no longer than 4 months from this point, because, as my colleagues have pointed out, the trial could go on indefinitely. There has to be an end at some point because there are other important considerations, and situations that we want to attempt to avoid. And it was my intention to attempt to avoid right from the inception. I thought we could have had our work completed. We ran into the problems of not getting witnesses and documents heretofore. But I recognize that there are some on the Democratic side who feel very strongly that this should not continue. So with that in mind, I am willing to put forth that we have a 4-month extension or any combination of 8 to 10 weeks after the trial, whichever is less, whichever is less, as a finite time.

I recognize also that if indeed there are matters of great consequences that come forth, then obviously it will behoove all of us to say that we have to continue. But if indeed there are still unanswered questions, and it is just a matter of us not being able to continue, then we have to act accordingly.

I hope that my colleagues on the other side would consider this. By next week, we will get into the testimony of Susan Thomases, unbelievable testimony, testimony that is not credible, of this brilliant lawyer, a close friend of Mrs. Clinton, who cannot remember key dates even though they are logged in her files. And we will get into the extraordinary things we had to do in order the get documents from her. If this is the kind of thing that they want, then we will have to do it.

I say, last but not least, that I will spell this out with specificity. And if indeed we fail in cloture the first time, we will take it to cloture again and again. I guess the White House will look at the polls to determine the impact of attempting to keep us from going forward and, I think, holding back facts.

So we will make a determination. If we cannot come to a resolution we will have to use whatever resources we have at our disposal to do the best we can—and it may not be as easy and may be more cumbersome—so that we can to get the facts. We will do that. I will use the jurisdiction of the Banking Committee. And I will spell that out in further detail. So we will not be without resources. It will be more difficult. It will place a greater strain. We may have to meet a lot more.

But I have put forth the basis by which we could resolve this matter without one side saying, "What are you hiding?" and the other side saying, "It's nothing but politics." We will raise the question, what is the White House afraid of? What are they hiding? My colleagues on the other side will say this is nothing more than politics in an attempt to embarrass the President. No one gains by that. No one gains by that. So I put this offer forth, and I hope we can work this out and resolve our differences.

I yield the floor.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Louisiana.

Mr. JOHNSTON. Mr. President, politics or policy, that is the question. Mr. President, if there was ever anything that is clear as the noonday Sun on a cloudless day, anything that is obvious, it is that Whitewater is politics, pure and simple, and has nothing to do with policy. And the Senate should not continue this charade any longer.

Mr. President, we have had 121 witnesses. We have had 40 days. We have had over 200 depositions. We have had 45,000 pages of documents that have been produced. We have had blah, blah, blah, blah, full of sound and fury, and absolutely signifying nothing.

Mr. President, the distinguished chairman of the Whitewater Committee, the last time he spoke—and I wanted to ask him some questions, and he did not yield for that purpose—spoke about the comparison of Whitewater with Iran-Contra. I wanted to draw with him the comparisons between the two. I think the comparison of these two hearings really draws in sharp focus, in sharp contrast, the difference between policy and politics.

In the case of Iran-Contra, Mr. President, we had a matter of grave national concern, national issues involving a terrorist state, Iran, and involving the action of the administration, as an administration while in office, that involved the President of the United States, involved the National Security Adviser while he was National Security Adviser, involved employees of the White House and of the Government, involved in some of the most critical issues then before this Nation. They were issues as to which the Congress needed the information in order to make policy, in which the administration needed the information in order to make policy.

With all of those important issues, Mr. President, Iran-Contra took half the time that the Whitewater hearing is taking. Mr. President, I confess I voted for this Whitewater investigation. Frankly, I search my mind as to why in the world I ever voted for it in the first place.

What are we doing with Whitewater? Does that involve the President of the United States as President? Oh, no. Does it involve a recent event? Oh, no. This is more than 10 years ago. Does it involve a matter as to which the Congress needs information to make policy? Oh, no.

I mean, look, whether Whitewater was a good development or whether the McDougals embezzled money from the RTC or whatever are not matters as to which we need to make policy. If they are, they have been fully brought out with 121 witnesses and 45,000 pages of information.

By the way, we have a special prosecutor that has spent over $25 million and has a huge team down in Arkansas as we speak, looking into any lawbreaking. So it is not lawbreaking. It is not policy. It is not recent. Just what is it, Mr. President? What are all these things about, all these witnesses?

I must confess to you, Mr. President, I hear all this stuff and it goes in one ear and out the other. I am a lawyer by training, as are many of my colleagues. You just cannot keep up with it because it is all, we know, irrelevant to anything except politics, this political season.

We are told now that we need to go on for another 4 months or 10 weeks or whatever it is. For what? We have already had the First Lady come down and testify. We have already had these very broad subpoenas that have subpoenaed everything in the Western World. They wanted all the e-mail that has come out of the White House. They tell me it will cost $200,000 just to comply with their request for e-mail.

Undoubtedly they will, among that $200,000 worth of e-mail, they will be able to bring up somebody from the White House and say, did you say such and such in an e-mail? They will say, no, I do not remember that. They will be able to produce it, and it will be another one of these great revelations. These great revelations about, "Can you remember something you did 10 years ago?" And maybe they cannot. I hope people will not pull me up before

a witness stand in some way and ask me about things that happened 10 years ago, and "Did you make these notes or not?"

The question is, are the notes significant? What do the billing records signify? Not much. And whatever they signify, it has already been brought out. The distinguished Senator from New York is free to argue all of these things. You know, did Susan Thomases—did Ms. Williams—did this person do this or that? It is all out there to the extent it has any relevance to anything.

I submit it is not relevant to anything except the Presidential race. It is an attempt to get President Bill Clinton and the First Lady of this country to be put in an embarrassing position. That is all this is about. Everybody knows that, Mr. President. Everybody knows that. Give me a break.

Are we trying to make policy here? Just what law is it that we will be able to amend or change or propose by virtue of Whitewater? Is the President charged with any wrongdoing, any violation of law? No, he is not. Is the First Lady charged with any violation of law? No, she is not. How about an ethical violation? No, they are not. But if they are, and if the evidence is there, we have a very partisan special prosecutor who has over $25 million already spent in a bottomless pit of money in order to be able to pursue that.

That is a legitimate purpose. It may be illegitimately or partisanly pursued by the special prosecutor, but it is certainly legitimate and within the ambit of the law, and it is not going to be stopped by what we do here in the Congress. So if there is lawbreaking which has not been either charged or revealed so far, that special prosecutor can do it.

What the special prosecutor cannot do is to have these hearings with all these accusatory looks and tones and dredging up pieces of paper, throwing them out with a flourish as if they signify anything. And, Mr. President, we know they have no significance beyond the political race that is presently occurring.

We know that if Bill Clinton were not President of the United States, there would be no thought of going into this kind of thing, wasting these kinds of resources, wasting this much time of the Congress on this issue. It is politics, pure and simple, unvarnished, obvious and clear, and I hope we do not give another nickel to this boondoggle—not another nickel.

I think my colleagues are proposing giving some more money to pursue it further. I hope they do not give a nickel. Whatever there is here—and there is nothing of legitimate concern for us, because it does not involve the President as President—it does not involve policy that we need to know about, it does not involve charges of wrongdoing against the President and the First Lady. It involves innuendoes that can be useful only as political fodder in a political campaign, and that is all. I hope we do not continue it at all.

I must say, the distinguished Senator from Maryland is a lot closer to this than I am. I trust his judgment. If he would say we have to continue for 2 days or 5 days or whatever, I may reluctantly vote for it. But, Mr. President, I am so sorry that I voted for this resolution in the first place. I do not know what we were thinking when we commissioned this Whitewater boondoggle investigation. I do not know what we were thinking, and I hope we will terminate it as soon as we can. I wish we would set a precedent that we do not do this kind of thing.

Look, if the other party gains the White House this year—I will not be around here as a Member of the Senate, but I hope our side does not try to do that to their side when they get in office. It is a waste of time, it is a waste of resources, it is a diversion from the purposes of this country and of this Senate and of this Government. We ought to get about the business of running the Government as set forth in the Constitution and let the candidates run the campaigns. Enough is enough, and we have already had too much.

I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island.

Mr. PELL. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LONGEVITY IN THE SENATE: RECOLLECTIONS OF T.F. GREEN

Mr. PELL. Mr. President, today the number 93 symbolizes a notable milestone in Senate history. It is the 93d day after Senator STROM THURMOND's 93d birthday, which was the same span of days and years reached by my venerable predecessor Senator Theodore Francis Green on the day of his retirement on January 3, 1961. Tomorrow, Senator THURMOND will be 93 years and 94 days old and he will assume Senator Green's mantle as the oldest sitting Senator in history.

I join in extending hearty congratulations to Senator THURMOND on his remarkable durability and I wish him well in years to come. But I do hope we will not lose sight of the extraordinary long and distinguished career of the previous record holder.

The career of Theodore Francis Green will always be an inspiration and a model for productive senior citizenship. He was a classic late bloomer whose political career did not really begin until he was 65 years old. And his most prolific years were in the two and a half decades that followed.

Born in Providence in 1867—a year before Ulysses Grant was elected President—Senator Green was descended from a distinguished line of forebears dating back to the founding of colonial Rhode Island. Five of them served in Congress. He began his own public life when he raised and outfitted his own company in the Spanish-American War.

He served a single term in the Rhode Island General Assembly in 1907, but then endured 25 years of political rejection and disappointment. He ran for Governor three times without success, in 1912, 1928, and 1930—counted out he said by the opposition—and he lost a race for Congress in 1920. And then in 1932, at an age when his contemporaries were contemplating retirement, he was elected Governor of Rhode Island, swept in on the New Deal tide.

Reelected to the governorship in 1934, he engineered on inauguration day the so-called Bloodless Revolution which in a single afternoon ended Republican dominance of the State government and earned him the pejorative of "Kingfish Green" in some circles. The coup was never successfully challenged and he went serenely ahead with his reform agenda.

In 1936, Theodore Francis Green was elected to the U.S. Senate, beginning 24 years of continuous service during which he became a colorful and beloved fixture of Washington life. He was a strong supporter of the New Deal and of social legislation in the post-war era. A dedicated internationalist and a tireless world traveler, he ascended to the chairmanship of the Senate Foreign Relations Committee at the age of 89 in 1957.

He was not particularly impressed by his own longevity. "My age is nothing to be proud of," he said. "It's just an interesting incident." But the secret of longevity, he said is moderation. "I don't get worried and don't get excited. It would take more or less of a bomb to upset me."

There was, however, another factor that kept him going and that was his almost ceaseless thirst for physical activity. It can hardly be coincidental that Theodore Green and STROM THURMOND—both devotees of physical fitness—should be the record holders for Senate seniority.

Green's prowess was legendary and he was sometimes referred to as Tarzan, notwithstanding his modest 150-pound physique. He was a wrestler and a mountain climber and a handball player. He continued high diving until he was 82 when he was finally convinced by doctors and friends to give it up. And he continued to play tennis until he was 87, and then quit only because he could not find time in his busy schedule to play.

But to the end he continued to work out and swim several times a week in

the Senate gymnasium or at the YMCA. And most of all he walked, daily—except in the worst weather, from his bachelor quarters at the University Club to his office in the Russell Building. Every morning at about 8:35 he would start out on the 2-mile walk, a familiar stooped figure with his pince-nez eye glasses, usually proceeding down through Lafayette Park and up Pennsylvania Avenue. It usually took about 45 minutes.

The daily walk was prompted as much by an aversion to automobiles as it was by a love for exercise. The only car he ever owned was acquired for ceremonial purposes and it spent most of its days on blocks in his Providence garage. He never learned to drive. But he loved trolleys and legend has it that he once showed up, impeccably attired in top hat, white tie and tails, to take a society matron to a concert, traveling by street car.

Like the new holder of the longevity record, Senator Green had great appreciation for women. He often liked to joke that he looked forward to every leap year in hopes that some lovely lady would claim him. Even as he approached 90, he was regarded as one of the better dancers among Washington bachelors. And Supreme Court Justice Felix Frankfurter once said that Theodore Green was "the most charming dinner partner your wife could have."

When Senator Green claimed the longevity title in 1956, Senators Lyndon Johnson and William Knowland, the majority and minority leaders, presented him with a gavel supposedly made from the oldest tree on the Capitol grounds and proclaimed he had outlived all the surrounding flora. Senator Green often spoke of serving till he would be 100, but in 1960, aware of failing eyesight and hearing, he decided to step down. He died 6 years later, in his 99th year, in the house where he had lived all his life in Providence.

As I said at the time of his death, I was then and have always been greatly in his debt. I benefited by his wise advice and counsel and gained by following his example. He truly was my role model. And I shall always appreciate his willingness to serve as chairman of my campaign committee when I ran in 1960 to succeed him. He was truly a great gentleman and statesman and his legend lies on in affectionate memory of the people of Rhode Island. And, Mr. Speaker, for myself as the longest serving Senator from Rhode Island, I know I share in this memory.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island.

Mr. CHAFEE. Mr. President, as many of my colleagues are aware, tomorrow our friend and colleague, Senator THURMOND, will become the oldest sitting Senator in the history of the U.S. Senate. This is a remarkable achievement. In so doing, he surpasses the late Theodore Francis Green of Rhode Island who retired in January 1961 to be succeeded by Senator PELL. He retired at the age of 93 years and 93 days.

Senator THURMOND will be 93 years and 94 days old tomorrow, so he will exceed the record of the oldest Senator to serve, which was set by Theodore Francis Green.

I congratulate Senator THURMOND on the great things he has done in his 40-plus years of Senate service, and I congratulate him on achieving this milestone.

On the last day before he breaks this impressive record set by Senator Green, I would like to take a few minutes to talk about Senator Green's exemplary Senate career.

Theodore Francis Green, as Senator PELL has mentioned, came to the Senate in 1937. Previously, he served one term in the Rhode Island State Legislature, the house of representatives, and two terms—we had 2-year terms in those days—as Governor, for a total of 4 years. He was a strong supporter of President Roosevelt's New Deal programs, and he was an advocate of important farm and unemployment relief legislation, and he fought vigorously for increased Federal aid for education.

He did his level best to ensure that Rhode Island got its fair share of Federal funds. And most significant in achieving Federal funds was when he secured President Roosevelt's support for a new naval base in our State constructed at Quonset Point. This was the site of 1 of 12 new Navy bases that were built in the late thirties and early forties. Knowing that the Senators from New York and Massachusetts were just as anxious to land a new base for their home State, Senator Green pressed his successor Governor and the State legislators to cede land to the Federal Government as quickly as possible. Once Congress began its consideration of the matter, Senator Green took the lead in shepherding the necessary authorization and appropriations bills through the Senate.

It was in foreign affairs that Senator Green truly made his mark. He joined the Foreign Relations Committee just as the United States was turning away from its isolationist policies and toward taking its place as the greatest military power the world had ever seen. In those days, the Senate Foreign Relations Committee was where a good deal of the action took place.

Senator Green demonstrated his spirited efforts to implement the lend-lease plan, and his early support for the Selective Service Act was up to the challenge.

While many of his colleagues called for the United States to retreat into isolationism once World War II drew to a close, Senator Green was adamant that the United States should participate in creating a workable, collective security arrangement to avoid future global conflicts. He worked diligently to ensure that American assistance to war-torn nations—the so-called Marshall plan—was implemented, and he worked hard for the establishment of the U.N. Relief and Rehabilitation Administration.

As Senator Green's influence in the Foreign Relations Committee increased, he provided key support for the chief foreign policy initiatives of the Truman administration, particularly with regard to Greece and Korea. But his internationalism was not limited to Democratic administrations. On the contrary. Senator Green argued just as firmly against proposals to curb the President's power to conduct foreign policy during the Eisenhower administration. In 1957, as the new chairman of the Foreign Relations Committee, he led congressional support for Eisenhower's request to use American troops to combat communism in the Middle East—the so-called Eisenhower doctrine.

Now, much like Senator THURMOND, Senator Green attributed his longevity to two things: A healthy diet and regular exercise. As Senator PELL just mentioned, he walked every morning from the University Club on 16th Street to the Capitol—every day, up until his retirement. Here he was in his nineties, getting up toward 95, 96, and the New York Times heralded him as the Senate's undisputed champion diver, swimmer, and handball player. I am not sure how much competition he had as a diver, but nonetheless he was a champion.

Although Senator Green will no longer hold the distinction to have been the oldest person to have served in this body, he will long be remembered for his accomplishments, his compassion, his loyalty, his honesty, and his good humor.

Upon hearing of Senator Green's intention not to run for reelection, Senator Fulbright said of him, "I had hoped and expected that he would stay until he reached 100 years of age." On the eve of this historic day, I wish the same to the very distinguished Senator from South Carolina. I would hope and expect that he will stay until he reaches the age of 100. Indeed, we have said to Senator THURMOND that we hope we are here when he reaches 100. He said, "If you get exercise and eat right, you will be here."

I look forward to many more years of serving with our distinguished Senator from South Carolina, and I congratulate him on breaking the record set by a Rhode Islander for being the oldest Senator to serve in this body.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—H.R. 3021

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate begins consideration of a bill regarding the temporary suspension of the debt limit, it be considered under the following limitation: the bill be limited to 30 minutes of debate to be equally divided between the two managers; there be only one amendment in order to the bill to be offered by Senator Daschle; that amendment be limited to an additional 30 minutes of debate; and following the expiration or yielding back of all debate time the Senate immediately proceed to a vote on or in relation to the Daschle amendment to be followed by a vote on passage of the debt limit extension, as amended, if amended, with no intervening action or debate.

It is my understanding this has been cleared with the Democratic leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

TEMPORARY DEBT LIMIT EXTENSION

Mr. LOTT. Therefore, Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of H.R. 3021 just received from the House.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 3021) to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States.

The Senate proceeded to consider the bill.

Mr. LOTT. Therefore, Mr. President, I announce there will be two votes, then, at approximately 5 minutes before 2 o'clock. We hope to begin on time. I believe the managers of the bill are in the area and are prepared to begin immediately. We will have the votes starting at 5 minutes before 2 o'clock.

While we wait on the managers to come to the floor, I want to say that I think this is a good agreement under the circumstances. This would provide for a short-term debt ceiling extension to March 29. The purpose of this short-term extension is so that we can continue to work, as requested by the bipartisan Governors, with the leaders in Congress and with the administration to see if we can come to a broader bipartisan agreement on the budget or, in the alternative, come to some agreement on the entitlement reform that we would like to be able to include in this debt ceiling legislation, which would be for the longer period of time.

I am pleased we have reached this point. I am delighted to yield the floor so the managers can begin consideration of this bill.

Mr. MOYNIHAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURNS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Mr. President, as best I understand, we have a 30-minute time period running. Inasmuch as the Senator from New York suggested the absence of a quorum, I fear that in 4 minutes time our opportunity to debate the matter will have expired. I wonder if I might ask unanimous consent—I am sure my esteemed friend from Delaware would not mind—if I could ask that the next 10 minutes be charged to the majority.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROTH. Mr. President, I rise to ask my colleagues to join me in supporting H.R. 3021, a bill to extend the current debt ceiling until March 30, 1996. Under current law, the debt ceiling would be reached on March 15. This bill is intended to give the Secretary of the Treasury ample authority to ensure the full investment of all Federal funds and trust funds, including the Social Security trust fund, until March 30, 1996.

Mr. President, I am told that the Secretary of the Treasury, Robert Rubin, supports this legislation and that President Clinton intends to sign it.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter received from Secretary Rubin.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
Washington, DC, March 7, 1996.

Hon. ROBERT DOLE,
Majority Leader, U.S. Senate, Washington, DC.

DEAR MR. LEADER: Over the past several days, Treasury and Congressional staff have had constructive discussions regarding new legislation to raise the ceiling on the Nation's debt. The resulting bill, H.R. 3021, is up for consideration in the House today. The Administration continues to believe that a long-term straightforward debt ceiling increase should be enacted as soon as possible. Clearly, this is the preferable course of action. Nevertheless, at this juncture, I urge that this interim bill be approved by Congress this week.

As a reminder of the events that would transpire without Congressional action, I have attached a letter from Under Secretary Hawke. In it he states that the lack of prompt action by Congress could result in non-investment of incoming trust fund receipts and could hamper our ability to auction and settle securities later in the month, thereby prompting a default.

We also continue to believe the commitment you articulated together with Speaker Gingrich and Majority Leader Armey in your February 1 letter is the right one. We should resolve the debt limit impasse by enacting legislation that is "acceptable to both [the President] and the Congress in order to guarantee the government does not default on its obligations."

We look forward to working with you to achieve enactment of a long-term straightforward debt ceiling bill.

Sincerely,

ROBERT E. RUBIN.

Mr. ROTH. Mr. President, therefore, I believe that we must act swiftly in passing this critical bill.

Let me reiterate my position regarding the debt limit issue. It is this Senator's intention to work toward passage of a long-term debt limit extension later this month. We will not default on our debts. What this legislation does is simply allow a few more weeks to work out a few unresolved issues with the Governors proposals on Medicaid and welfare.

Let me just take a few moments to summarize the bill for my colleagues. Section 1(a) of the bill provides the Secretary with the authority to invest receipts received by a trust fund or other Federal fund until March 30, 1996. Obligations issued under this authority shall not count toward the public debt limit. This is to ensure the full establishment and maintenance of income to Social Security and other Federal funds that by law are authorized to invest in Federal obligations and securities.

Section 1(b) defines the term Federal fund as a trust fund or account to which the Secretary of the Treasury is authorized to issue Federal obligations for investment purposes.

Section 1(c) extends the current authority—Public Law 104-103—to incur debt, not subject to the public debt limit for purposes of guaranteeing timely payment of Social Security and other Federal payments, from March 15, 1996 until March 30, 1996.

Mr. President, I hope that the Senate expeditiously enacts this critically important piece of legislation to preserve the full faith and credit of the U.S. Government.

Mr. President, I yield back the floor.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. I wish to join my esteemed chairman, the Senator from

Delaware, in stating that, indeed, this legislation is necessary. It is in fact urgent, a fact which in and of itself speaks to the awkwardness with which Congress has approached the most elemental of duties, which is to ensure the full faith and credit of the U.S. Government. Here we are in a fiscal year that began October 1. We can look out the Senate doors and there in the park between here and the Supreme Court we see spring rains; we see spring buds; the daffodils are all but upon us; and we still have not extended the debt ceiling, which we will have to do.

We are now in an extraordinary pattern of putting in jeopardy the world's primary currency, the world's largest economy but also the world's largest debtor nation. The full faith and credit of the United States is of interest not just to Americans but to the world itself.

I hope we will, indeed, make this extension.

I believe my esteemed chairman placed Mr. Rubin's letter in the RECORD. Mr. Rubin's letter was accompanied by a letter from the Honorable John D. Hawke, Jr., who is the Under Secretary of the Treasury for Domestic Finance, explaining in detail why this particular extension is urgent and must not be put off. I ask unanimous consent that the letter be printed in the RECORD so that it will be seen out in the rest of the world that at least the Treasury Department knows what the problem is.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
Washington, DC, February 26, 1996.

HON. ROBERT DOLE,
Majority Leader, U.S. Senate, Washington, DC.

DEAR MR. LEADER: Because the Congress will shortly be considering legislation to increase the public debt ceiling, Secretary Rubin has asked me to provide you with information concerning the Treasury's expected cash and debt positions for the next several weeks. We share the view expressed in the Leadership's February 1 letter to the President that it is of great importance for Congress to resolve the uncertainties surrounding the debt limit by promptly enacting an increase acceptable to both Congress and the President.

In his letter to you of January 22, Secretary Rubin described the remaining three actions that he believed to be legal and prudent, and that would provide funds with which to pay the country's financial obligations. He estimated at that time that these actions would be sufficient to carry us through February 29 or March 1. On February 1, Congress passed H.R. 2924, which was signed into law on February 8 as Public Law 104–103, granting authority to Treasury to issue an additional $29 billion in debt that would be temporarily exempt from the debt limit. The debt limit exemption for these securities expires on the earlier of March 15 or the enactment of a new debt limit increase by the Congress. As the Secretary informed you on February 20, on Friday we issued $29 billion in bills under this new authority, and with this action, and the auctions scheduled for this week, the payment of all benefits and other disbursements scheduled for March 1 has been assured.

In addressing our expected future cash and debt positions in the light of these recent actions, I must caution that there are inherent uncertainties in such predictions. Our projections are revised every day to reflect the actual volume of receipts and disbursements we experience, and the results that are ultimately realized three to four weeks hence may well vary by several billion dollars in either direction from the numbers we currently estimate.

On March 5, Treasury is scheduled to announce the amount of 13- and 26-week bills that will be auctioned on March 11 and issued in exchange for payment on March 14. Treasury sells 13- and 26-week bills every week, and this schedule follows the normal pattern. While we project that there will just be room under the debt limit on March 14 to issue these securities, we currently estimate that the cash balance on March 14, after the securities are issued, will be less than the $5 billion that we consider a prudent minimum. Moreover, because we estimate that the debt limit leeway remaining after the bills are issued will be less than $1 billion, we see no room to increase the size of the bill auction to improve the cash balance, and because of our cash needs we will not be able to decrease the size of the auction significantly to preserve debt limit leeway.

Similarly, on March 12, Treasury is scheduled to announce the amount of 13- and 26-week bills to be auctioned on March 18 and issued in exchange for payment on March 21. If there is no debt limit increase, or assurance of a debt limit increase, by March 12, that announcement will have to be conditional: that is, it will state that the March 18 auction will be held only if Treasury has assurance of its ability to issue the bills on March 21 without exceeding the debt limit. We strongly prefer not to make such a conditional announcement because the effect is to prevent "when-issued" trading in the securities until the final announcement is made. Secondary market trading usually begins on a when-issued basis immediately after the announcement of an auction, and is important because it affords precaution price discovery. Truncating the when-issued trading period tends to increase the Government's cost of borrowing.

By March 13 or 14, if there is no debt limit increase, we project that our cash balances will be below our prudent minimum of $5 billion and that there will be less than $1 billion in leeway under the debt limit. If the actual debt level on March 13 or 14 is $1 billion more than we currently forecast, Treasury would be out of debt limit room and would not be able to issue sufficient securities to the trust funds to enable all trust fund receipts to be invested on those dates.

On March 15, under the terms of Public Law 104–103, the $29 billion of securities we issued Friday will become subject to the debt limit, if no debt limit increase is enacted prior to that date. As a consequence, the amount of Treasury debt outstanding would then be well over the limit. Of course, all the outstanding debt will have been validly issued, and no action to reduce debt will be mandated. Nevertheless, Treasury will immediately be disabled from issuing any new securities, since outstanding debt already will be in excess of the debt limit. Therefore, Treasury would be unable to issue securities to any trust funds either to invest their incoming receipts or to roll over maturing investments. We estimate that on March 15 this would leave approximately $9.8 billion of trust fund assets uninvested, including approximately $2.0 billion of assets of the Social Security and Medicare trust funds—a result I am sure we all want to avoid.

These trust funds, unlike the Civil Service Retirement and Disability Fund and the so-called G Fund, do not have statutory protection in the form of an automatic restoration of interest not earned during a period in which new debt cannot be issued. Thus, a subsequent Act of Congress would be required to restore that lost interest. Based on past experience in similar situations, we expect that Congress would act to restore lost interest.

In addition, because savings bonds count against the debt limit, new sales of savings bonds would have to be suspended on March 15. This would affect approximately 45,000 banks and payroll offices that act as issuing agents, and would disrupt the savings programs of millions of individual investors.

Because March 15 is a tax payment date, cash balances will improve through March 20. However, on March 21 a total of $16.6 billion of trust fund assets, including $8.8 billion of Social Security and Medicare receipts, would remain uninvested. Moreover, on March 21 Treasury bills totaling $25.5 billion will mature. If the debt limit has not been increased before that time, it is unlikely, based on current estimates, that the Treasury will be able to issue enough new securities to raise the cash needed to pay these bills. It is conceivable that our cash balance on March 21 might be as much as the amount by which outstanding debt exceeds the debt limit, and that we could use the cash, plus a small bill auction, on that date to pay the maturing bills. However, our most recent projections do not show this occurring. In any event, such an action would exhaust Treasury's cash on that date, and we project that on March 22 cash flow will be negative.

As I cautioned, these projections reflect current estimates only and are all subject to changes—which could be favorable or unfavorable—to reflect our actual day-to-day experience with receipts and disbursements. The Secretary has asked that I continue to keep you informed if and as changes in the projections affect the sequence of events I have set forth.

Sincerely,

JOHN D. HAWKE, Jr.,
Under Secretary of the Treasury for Domestic Finance.

Mr. MOYNIHAN. With that, Mr. President, I would simply say I feel that while the 2-week extension is urgent and absolutely indispensable, we ought to do more. And with the conclusion of this part of our debate, I will proceed, when the chairman is ready, to offer an amendment that would in fact extend us to the spring of 1997 when we have a new cycle in American Government and a new fiscal year.

The PRESIDING OFFICER. All time on the bill has now expired.

AMENDMENT NO. 3465

(Purpose: To increase the public debt limit)

Mr. MOYNIHAN. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mr. MOYNIHAN] proposes an amendment numbered 3465:

Strike all matter after the enactment clause and insert the following:

TITLE —PUBLIC DEBT LIMIT

SEC. 01. INCREASE IN PUBLIC DEBT LIMIT.

Subsection (b) of section 3101 of title 31, United States Code, is amended by striking the dollar amount contained in the first sentence and inserting "$5,400,000,000,000".

Mr. MOYNIHAN. I thank the Chair. And as you have observed, this is a succinct matter. We are simply taking the debt ceiling now at $4.9 trillion and raising it to $5.4 trillion. The statutory limit on the total outstanding public debt of the United States subject to that limit will be reached on March 15, 1996 or shortly thereafter.

Might I make the point here that when we speak of the public debt, we include here all the debt owed to the various trust funds of the Federal Government as, for example, Social Security trust funds which are really internal financing arrangements that do not represent debt held by private investors.

Today is the third time in this fiscal year that I have offered an amendment to extend the permanent debt ceiling. On November 9, I proposed simply raising it to $4.967 trillion in order to provide time to complete action on the budget reconciliation bill. The amendment was tabled 49 to 47. On January 26, I offered an amendment to raise the debt ceiling to $5.4 trillion, which would have taken us beyond the November elections to about May of next year. And that amendment was also tabled by a very close vote, Mr. President, 46 to 45. And the amendment I have just sent does the same thing. It would bring us to about May 31, 1997. Anything sooner than that gets us involved with a Presidential election which will have occurred, a State of the Union Message, a February recess. It seems to me that taking this issue up next May is an orderly way to do it, a way to tell financial markets that this country is not in jeopardy of default.

The very idea of default has not existed in the vocabulary of American politics.

I made the point, Mr. President, that in 1814 the British invaded Washington, burned the White House, burned the Treasury Building, burned the Capitol; but the interest on the national debt continued to be paid out of the sub-Treasury in Manhattan. The thought of default never occurred to us. Here we are, talking about 3 weeks until doomsday. Three weeks until doomsday? That is no way for a grownup, mature, solvent nation to behave.

The General Accounting Office has produced a report, "Information on Debt Ceiling Limitations and Increases," which was prepared at my request, and reports that we are in the 21st debt ceiling crisis or debt issuance suspension period since 1946. All these crises, save four, have occurred since 1980— 17 since 1980. And it is, therefore, no coincidence that we have closed down the Federal Government 11 times since 1981—something unthinkable in previous years. But we do it.

The current debt ceiling crisis, which began on November 15, has already lasted 114 days. Prior to this crisis, the longest one was 100 days; that was 1985.

So, Mr. President, I ask unanimous consent that the General Accounting Office report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. GENERAL ACCOUNTING OFFICE,
ACCOUNTING AND INFORMATION MANAGEMENT DIVISION,
Washington, DC, February 23, 1996.

Hon. DANIEL PATRICK MOYNIHAN,
U.S. Senate.

DEAR SENATOR MOYNIHAN: Your January 16, 1996, letter requested information on past debt ceiling limitations and actions that the Department of the Treasury (Treasury) has taken to avoid defaulting on government obligations. In our January 26, 1996, letter to you, we discussed actions taken by Treasury during debt ceiling crises since September 30, 1984.[1] As agreed with your office, the enclosure to this letter provides information on (1) when the outstanding debt subject to the statutory debt limit was within $25 million[2] of the public debt limit between July 1, 1954, and September 30, 1984, (2) the debt ceiling crises occurring between September 30, 1984, and February 15, 1996, and (3) when the statutory debt ceiling has been revised since June 26, 1946.

CHANGES IN THE DEBT CEILING

The federal government began with a public debt of about $78 million in 1789 and since then the Congress has attempted to control the size of the debt by imposing ceilings on the amount of public debt that can be issued. Until 1941, the Congress set ceilings on the various types of Treasury securities that could be issued. In February 1941, the Congress set an overall ceiling of $65 billion on all types of Treasury securities that could be outstanding at any one time. This ceiling was raised several times between February 1941 and June 1946 when a ceiling of $275 billion was set and remained in effect until August 1954. At that time, the Congress imposed the first temporary debt ceiling which added $6 billion to the $275 billion permanent ceiling. Since that time, the Congress has enacted numerous temporary and permanent increases in the debt ceiling which currently stands at $4.9 trillion.

RELATIONSHIP OF THE DEBT CEILING TO THE OUTSTANDING DEBT

As shown in the following chart, the relationship between the public debt limit and the amount of outstanding debt is very close.[3]

(Chart not reproducible in RECORD.)

In order to determine when a debt ceiling crisis may have arisen, we reviewed historical Treasury documents for the period July 1, 1954, through February 15, 1996, and identified 21 periods when the outstanding debt subject to the statutory debt limit was within $25 million of the debt ceiling.

If you have any questions regarding the information in this letter, please call me at (202) 512–9510, or Gary Engel, Assistant Director, at (202) 512–8815.

Sincerely yours,

GREGORY M. HOLLOWAY,
Director, Governmentwide Audits.

Enclosure.

Information on when the outstanding debt was within $25 million of the debt ceiling, debt ceiling crises, and debt ceiling changes

Dates	*Situation or event*
June 26, 1946	Debt ceiling set at $275 billion.
Aug. 28, 1954	Debt ceiling raised to $281 billion.
July 9, 1956	Debt ceiling lowered to $278 billion.
Feb. 26, 1958	Debt ceiling raised to $280 billion.
Sept. 2, 1958	Debt ceiling raised to $288 billion.
July 1, 1959	Debt ceiling raised to $295 billion.
July 1, 1960	Debt ceiling lowered to $293 billion.
July 1, 1961	Debt ceiling raised to $298 billion.
Mar. 13, 1962	Debt ceiling raised to $300 billion.
July 1, 1962	Debt ceiling raised to $308 billion.
Apr. 1, 1963	Debt ceiling lowered to $305 billion.
May 29, 1963	Debt ceiling raised to $307 billion.
July 1, 1963	Debt ceiling raised to $309 billion.
Nov. 27, 1963	Debt ceiling raised to $315 billion.
June 29, 1964	Debt ceiling raised to $324 billion.
July 1, 1965	Debt ceiling raised to $328 billion.
July 1, 1966	Debt ceiling raised to $330 billion.
Mar. 3, 1967	Debt ceiling raised to $336 billion.
June 30, 1967	Debt ceiling raised to $358 billion.
July 1, 1968	Debt ceiling raised to $365 billion.
Apr. 7, 1969	Debt ceiling raised to $377 billion.
June 30, 1970	Debt ceiling raised to $395 billion.
Mar. 17, 1971	Debt ceiling raised to $430 billion.
Mar. 15, 1972	Debt ceiling raised to $450 billion.
Oct. 27, 1972	Debt ceiling raised to $465 billion.
Dec. 1–2, 1973	Outstanding debt within $25 million of ceiling.
Dec. 3, 1973	Debt ceiling raised to $475.7 billion.
June 30, 1974	Debt ceiling raised to $495 billion.
Feb. 19, 1975	Debt ceiling raised to $531 billion.
June 30, 1975	Debt ceiling raised to $577 billion.
Nov. 14, 1975	Debt ceiling raised to $595 billion.
Feb. 27–Mar. 14, 1976[1].	Outstanding debt within $25 million of ceiling.
Mar. 15, 1976	Debt ceiling raised to $627 billion.
June 30, 1976	Debt ceiling raised to $636 billion.

[1] Debt Ceiling Limitations and Treasury Actions (GAO/AIMD–96–38R, January 26, 1996).

[2] During the current crisis, Treasury has maintained a $25 million difference between the outstanding debt and the debt limit.

[3] These figures are nominal dollars. They are not adjusted for inflation or for growth in the economy.

Information on when the outstanding debt was within $25 million of the debt ceiling, debt ceiling crises, and debt ceiling changes—Continued

Dates	Situation or event
Oct. 1, 1976	Debt ceiling raised to $682 billion.
Apr. 1, 1977	Debt ceiling raised to $700 billion.
Oct. 1–3, 1977	Outstanding debt within $25 million of ceiling.
Oct. 4, 1977	Debt ceiling raised to $752 billion.
Aug. 1–2, 1978[2] ..	Outstanding debt within $25 million of ceiling.
Aug. 3, 1978	Debt ceiling raised to $798 billion.
Apr. 2, 1979[2]	Debt ceiling raised to $830 billion.
Sept. 29, 1979	Debt ceiling raised to $879 billion.
May 30–June 11, 1980[1].	Outstanding debt within $25 million of ceiling.
June 28, 1980	Debt ceiling raised to $925 billion.
Dec. 19, 1980	Debt ceiling raised to $935.1 billion.
Jan. 30–Feb. 2, 1981.	Outstanding debt within $25 million of ceiling.
Feb. 7, 1981	Debt ceiling raised to $985 billion.
Sept. 30, 1981	Debt ceiling raised to $1,079.8 billion.
June 3–6, 1982 ...	Outstanding debt within $25 million of ceiling.
June 28, 1982	Debt ceiling raised to $1,143.1 billion.
Sept. 30, 1982	Debt ceiling raised to $1,290.2 billion.
May 26, 1983	Debt ceiling raised to $1,389 billion.
Nov. 21, 1983	Debt ceiling raised to $1,490 billion.
Apr. 4, 1984	Outstanding debt within $25 million of ceiling.
May 1–16, 1984[1]	Outstanding debt within $25 million of ceiling.
May 25, 1984	Debt ceiling raised to $1,520 billion.
June 4–July 5, 1984[1].	Outstanding debt within $25 million of ceiling.
July 6, 1984	Debt ceiling raised to $1,573 billion.
Sept. 4–Oct. 12, 1984[1, 3].	Debt ceiling crisis.
Oct. 13, 1984	Debt ceiling raised to $1,823.8 billion.
Sept. 3–Dec. 11, 1985[1, 3].	Debt ceiling crisis.
Nov. 14, 1985	Debt ceiling raised to $1,903.8 billion.
Dec. 12, 1985	Debt ceiling raised to $2,078.7 billion.
Aug. 1–20, 1986[1]	Debt ceiling crisis.
Aug. 21, 1986	Debt ceiling raised to $2,111 billion.
Sept. 30–Oct. 20, 1986.	Debt ceiling crisis.
Oct. 21, 1986	Debt ceiling raised to $2,300 billion.
May 15, 1987	Debt ceiling raised to $2,320 billion.
July 18–29, 1987	Debt ceiling crisis.
Aug. 7–9, 1987	Debt ceiling crisis.
Aug. 10, 1987	Debt ceiling raised to $2,352 billion.
Sept. 24–28, 1987	Debt ceiling crisis.
Sept. 29, 1987	Debt ceiling raised to $2,800 billion.
Aug. 1–6, 1989[1] ..	Debt ceiling crisis.
Aug. 7, 1989	Debt ceiling raised to $2,870 billion.

Information on when the outstanding debt was within $25 million of the debt ceiling, debt ceiling crises, and debt ceiling changes—Continued

Dates	Situation or event
Nov. 1–7, 1989	Debt ceiling crisis.
Nov. 8, 1989	Debt ceiling raised to $3,122.7 billion.
Aug. 9, 1990	Debt ceiling raised to $3,195 billion.
Oct. 19–27, 1990[1]	Debt ceiling crisis.
Oct. 28, 1990	Debt ceiling raised to $3,230 billion.
Nov. 5, 1990	Debt ceiling raised to $4,145 billion.
Apr. 6, 1993	Debt ceiling raised to $4,370 billion.
Aug. 10, 1993	Debt ceiling raised to $4,900 billion.
Nov. 15, 1995–Feb. 15, 1996.	Debt ceiling crisis.

[1]On one or more days during this period, the difference between the amount of debt subject to the limit and the debt limit was greater than $25 million. As noted in the letter, we were unable to specifically identify the debt ceiling crisis prior to September 30, 1984. Therefore, in order to better estimate the periods when Treasury may have had difficulty in performing its normal financing operations, we assumed that Treasury's difficulties continued if the following occurred: the outstanding debt subject to the limit fell below the $25 million threshold and then rose to the $25 million threshold during a 14-day period.

[2]Specific actions taken by Treasury during these periods are discussed in the following GAO report: A New Approach to the Public Debt Legislation Should Be Considered (FGMSD–79–58, September 7, 1979).

[3]Specific actions taken by Treasury during these debt ceiling crisis are discussed in the following GAO reports: Civil Service Fund: Improved Controls Needed Over Investments (GAO/AFMD–87–17, May 7, 1987) and *Treasury's Management of Social Security Trust Funds During the Debt Ceiling Crisis* (GAO/HRD–86–45, December 5, 1985).

Mr. MOYNIHAN. I thank the Chair.

Again to say, a default by the Treasury would have disastrous consequences for the domestic economy of the United States and for global financial markets. I make the point that during the 1980's, we became a debtor nation, the world's largest debtor nation. To jeopardize the full faith and credit of that debt is to jeopardize the well-being of the Nation.

I have, Mr. President, one last thing to say, a point to make, a positive point. I know that there are many persons who legitimately feel that in extending the debt ceiling we are only somehow extending the tendency to spend more than we have in the way of income, to be excessive and improvident and, in consequence, debt ridden.

Mr. President, this is not the case. Owing in large measure—or so I choose to believe—to the budget measures, tax and spending measures we took in 1993, we are now in a very solid cash-flow situation for the first time since the late 1960's. We are seeing the legacy of debt but also the consequence of legitimate behavior.

In this period, 1994–97, for the first time since the administrations of John F. Kennedy and Lyndon Johnson, the Federal Government will have more revenue than expenditure on programs and procurement. This also went through to the first years of President Nixon. We had a very small surplus, tiny, $3.1 billion in the first half of the decade; $2.3 billion in the second half. Then there was the period of the Nixon administration when matters were just even, properly so.

Then with the onset of President Ford's administration, then President Carter's, with the great increase in oil prices, inflation, things of that kind, we began to borrow money to pay for ongoing programs, $22 billion, then $13 billion.

The first years of the Reagan administration we borrowed $80 billion to pay for ongoing programs. Some of it is investment, but it was ongoing. Then in the administration of the latter years of Mr. Reagan, it dropped to $21 billion.

Then Mr. Bush had the misfortune of a recession, which reduced revenues, and in some ways raised outlays, and you have a big deficit, back to a $64.8 billion shortfall between revenues and outlays.

Mr. President, we are now at a $56.7 billion surplus. That means what we call the deficit is entirely accounted for by interest on the debt we accumulated in this period. We have our budget in balance, save for what we borrowed in the 1980's.

There were those who had in mind that is what we should do—that deficits would end up choking the life out of the Federal Government and its programs. They had a phrase for it called "starve the beast." They were not wrong. It was the idea that you could not argue this program out of existence and that program out of existence; just starve the Government of revenues. And you are then forced to do things you would have never dreamed of previously. For example, the present administration proposed a 7-year balanced budget glidepath which had enormous reductions in discretionary spending. Now you seem to have no alternative because of the debt service.

But I do say, Mr. President, we can see our way out of this. We have cut our outlays. Our revenues are solid. If we stay on this path, we will get to the point where the debt begins to decline. Then it can be a very rapid event.

I say this to those Members of the House, really, who themselves had the good sense in 1979 to make the debt ceiling extension automatic. Passage of the budget resolution automatically increased the debt ceiling by the necessary amount. I say to them that, if they see an increase in the debt ceiling as being an invitation to spend moneys you do not have, that you have been forced to borrow—that may indeed have been the case in the 1980's; it is not the case today. We are beginning to act in a mature and open and defensible way.

Let us put this debt ceiling behind us. Let us not have 3 weeks of saying, my God, in 3 weeks it is doomsday. No. Let us not put this off and let us do the right thing—pay our bills until next

May. In the interval there will be a Presidential election. We will hear a lot about this subject. We will have a new administration. I hope we will have the same President, but he will be in his second term. If we do not, we will have the distinguished majority leader, one-time chairman of the Finance Committee, a man who will know what to do. We are on the right path. Let us do the right thing.

With that, Mr. President, reserving the remainder of my time, I yield the floor. Mr. President, I suggest the absence of a quorum and ask that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. MURKOWSKI. Mr. President, I would like to speak with regard to the proposed debt increase issue for 3 or 4 minutes.

Mr. ROTH. Mr. President, how much time remains?

The PRESIDING OFFICER. The Chair informs the Senator from Delaware that he has 13 minutes remaining, and the Senator from New York has 1 minute, 26 seconds.

Mr. ROTH. I yield the Senator 3 minutes.

Mr. MURKOWSKI. I thank the floor manager.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 3 minutes.

Mr. MURKOWSKI. Mr. President, I have grave concerns about the proposal to increase the debt without having a mandate in place to address a balanced budget. For this body to vote to increase the debt without having a budget that can be achievably balanced is irresponsible.

What we are doing here, I think, is extraordinarily irresponsible. We are losing the leverage that we have—and the leverage that we have is the ability to affect just how much spending occurs. Mr. President, this body cannot face an authorization to increase the debt unless this body has found a way to ensure that the debt is not going to continue uncontrolled. This is the realization that we must not be afraid to face: the Government simply does not have the discipline to control its spending; the Government does not have the discipline and constraints to control its spending as is dictated in the private sector.

What should this body be doing? Well, Mr. President, this body should be doing the only responsible thing to do when one incurs too much debt—and that is decrease expenses. It is not responsible to the debt without taking corrective action.

The greatest concern this country has is too much debt, and now we are being asked to accumulate that debt further by increasing the debt ceiling from $4.9 trillion to somewhere in the area of $5.4 trillion. What is the rationale for this? The argument is that we simply have to. I am not arguing with the reality that we have to pay our bills, but to suggest that we go ahead with this authorization without first having addressed a mandatory balanced budget is absolutely irresponsible.

To suggest that we are up against some time frame of tomorrow or the next day is not necessarily true. We know that the Secretary of the Treasury has continued to borrow from funds, and likely can do so for a limited period of time. So, why not take this opportunity—when there is a need now that is greater than it has ever been before—to establish a methodology to achieve a balanced budget?

Mr. President, interest currently is about 16 percent of our total expenditure. Mr. President, that is a cost that we have absolutely no control over; it is an automatic cost that continues to grow and does not disappear. It's like having a horse—and the Senator from Montana knows about horses. You may feed a horse and watch him eat, but that horse continues to eat when you're not around—that horse eats while you sleep. A horse's eating cannot be controlled and neither can this country's interest expenditures. In Canada, 20 percent of the budget is interest on the debt. They cannot afford their health care. If you look at Central America countries, South America countries, what put them under was too much debt.

Currently our interest costs are more than our annual deficit. We are broke, yet we just keep spending. And to suggest that we are on the right track without having mandatory discipline is absolutely unrealistic.

Some may suggest the problem will fix itself—the economy will expand or the tax base will increase, and so forth. Those are all fine. But we have not addressed a responsible method to curtail this runaway debt, and here we are today prepared to increase the debt ceiling without having taken the corrective action, and this Senator from Alaska is going to vote against it.

The rationale is obvious: We have to be disciplined. We better face up to it because we are going to be right back here again in a year, 18 months, more or less, increasing the debt ceiling again. Will we have the leverage then? Well, we have the leverage now, and that leverage is to enact a mandatory balanced budget. Only then will I vote for the debt ceiling, but not until. I appreciate the floor manager allowing me this time.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I respectfully rise in opposition to the Moynihan amendment. I am sure he recalls, as I do, that when George Mitchell was the distinguished majority leader of this Senate, he often said the perfect is the enemy of the good when Republicans offered amendments from time to time.

I just want to reiterate that, as I stated earlier, it is this Senator's intention, hopefully upon the successful enactment of the legislation before us, without the Moynihan amendment, it is this Senator's intention to work toward passage of a long-term debt ceiling extension later this month. As I have said, we cannot and will not default on our debts, and I know that is a matter with which the distinguished Senator from New York agrees.

Mr. MOYNIHAN. There is no disagreement.

Mr. ROTH. Let me suggest that the problem with the Moynihan amendment is that I think we do make it possible for there to be a default if we do not move successfully on the legislation before us. The House, I just want to point out, passed the legislation, H.R. 3021, by a vote of 362 to 51. Most of the "no" votes came from Republicans. The House leadership says that the Moynihan amendment would not pass on the House side. So it is unlikely that a straightforward debt limit bill will pass. The House wishes, as you know, to combine that with entitlement reform, and we intend to vote on that later this month.

The point I want to emphasize is that we are running the risk that, if the Moynihan amendment should be adopted, it will not be agreed upon on the House side, and time is not on our side.

As I said earlier, the amendment before us really jeopardizes the ability of Treasury to manage the public debt. We may not have until March 21 or even March 15, as I understand the situation. Treasury has informed us that next week, cash levels will be imprudently low, something under $1 billion. I think that is the first time that situation has arisen where we are running that kind of a risk.

The distinguished Senator, my good friend and colleague, asked for the letter from John D. Hawke, Jr., the Under Secretary of the Treasury for Domestic Finance, to be printed as part of the RECORD.

I want to read one paragraph from that letter where the Under Secretary says:

> By March 13 or 14, if there is no debt limit increase, we project that our cash balances will be below our prudent minimum of $5 billion and that there will be less than $1 billion in leeway under the debt limit.
>
> If the actual debt level on March 13 or 14 is $1 billion more than we currently forecast, Treasury would be out of debt limit room

and would not be able to issue sufficient securities to the trust funds to enable all trust fund receipts to be invested on those dates.

So that, in my judgment, is why we wish and need to enact H.R. 3021 now, unamended, so that this danger of running out of funds can be averted.

Mr. President, I strongly urge my friends and colleagues on both sides of the aisle to reject the so-called Moynihan amendment.

The PRESIDING OFFICER. Who yields time?

Mr. ROTH. I yield 3 minutes to my colleague from Minnesota.

Mr. GRAMS. Mr. President, I want to make a few remarks to go along with Senator MURKOWSKI's remarks on a lot of reservations some of us have about extending the debt limit without tying it to a responsible balanced budget amendment, so that we do not literally give Congress an open checkbook to go ahead and spend and spend and spend.

I wanted to clarify that we are here today to consider a short-term extension to this debt ceiling, to give us time for 2 weeks to work out a further extension of this. What are we asking today? We are asking to be able to borrow more money. For what? To pay interest.

I tell people back home, it is like if you go to one banker to borrow money so you could pay interest to another banker you owe on another loan. If you get into that position, you are in financial trouble. That is what we are doing here, borrowing more money year after year, and it does nothing but cover up a history of mismanaging this country's finances. This is without going back and addressing the problem.

We have to get our finances in order. We have to agree on a balanced budget within the next 7 years. This should not be viewed as a political excuse to put off balancing this budget. The debt ceiling should only be passed, and I will only vote for it, if it has some specific instructions on how we are going to achieve a balanced budget and not to just say, well, we are going to borrow some more and add to the debt, which is going to put our children even deeper into their financial problems, so we can go on and continue business as usual here in Washington. We cannot do that any longer.

We need to have some real reforms when it comes to the problems of the entitlements, welfare, Medicare, and Medicaid. We have been working toward this, and, hopefully, within the next couple of weeks, we can work out something that will put us on that glidepath.

I am going to propose what I call the "taxpayer protection lockbox," which means that if revenues exceed even our spending forecasts, those extra dollars will not be given to Congress to spend on even a larger Government. But if there are additional revenues available, they will be returned to either the taxpayer in the form of tax relief, or they can only be spent to reduce the debt. But once we set this spending level, we want to make sure that, if additional revenues do come in, Congress does not have an open checkbook to spend even more.

So I wanted to respectfully ask that we examine this problem and make sure that any extension in the debt limit is tied to a balanced budget.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New York has 1 minute 24 seconds.

Mr. MOYNIHAN. Mr. President, first, let me say to my friend from Minnesota that he is quite right that we spent moneys we did not have. We spent them in the 1980's. This is clear and inexorable. This table shows it in these bar charts. We have finally gotten to the point where we have revenues above the levels of outlays. We did this in 1993 with a vote on which not a single vote was found on the other side of the aisle to do so. But we did it. Now, can we not put this argument aside, resolve our remaining legislative matters, and get on with the Presidential election, rather than holding the full faith and credit of the United States at jeopardy?

I want to thank my esteemed chairman for the clarity and tone of his remarks. Whichever way this vote will go, we will manage to get through this. But that we are doing this for the 17th time since 1980 suggests that we better look to our procedures in the future.

Mr. President, with thanks to the chairman, I yield back the remainder of my time.

Mr. ROTH. Will the Senator yield me 1 minute?

Mr. MOYNIHAN. I ask unanimous consent that Senator ROTH may have 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROTH. Mr. President, I thank the distinguished Senator from New York for his remarks. I must, once again, urge the defeat of the so-called Moynihan amendment. If it should carry, I think it is critically important that it be recognized that we would be jeopardizing the ability of the Treasury to manage the public debt.

As I said earlier, we may not have until March 21, or even March 15. Treasury, again, has informed us that next week cash levels will be imprudently low and under $1 billion. That is the reason it is critically important that we enact H.R. 3021 without amendment. As I have assured the distinguished Senator from New York, then we will look at the longer term and work together.

I yield the floor.

Mr. MOYNIHAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. GORTON (after having voted in the affirmative). Mr. President, on this vote I have a pair with the distinguished Senator from Kansas [Mr. DOLE]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. LOTT. I announce that the Senator from Missouri [Mr. ASHCROFT], the Senator from Colorado [Mr. CAMPBELL], the Senator from New York [Mr. D'AMATO], the Senator from Kansas [Mr. DOLE], the Senator from Florida [Mr. MACK], and the Senator from Arizona [Mr. MCCAIN] are necessarily absent.

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUYE], the Senator from California [Mrs. BOXER], and the Senator from Illinois [Ms. MOSELEY-BRAUN] are necessarily absent.

The PRESIDING OFFICER (Mr. SANTORUM). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 47, as follows:

[Rollcall Vote No. 24 Leg.]

YEAS—43

Akaka	Feinstein	Mikulski
Baucus	Ford	Moynihan
Biden	Glenn	Murray
Bingaman	Graham	Nunn
Bradley	Heflin	Pell
Breaux	Hollings	Pryor
Bryan	Johnston	Reid
Bumpers	Kennedy	Robb
Byrd	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Simon
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Exon	Levin	
Feingold	Lieberman	

NAYS—47

Abraham	Grams	Murkowski
Bennett	Grassley	Nickles
Bond	Gregg	Pressler
Brown	Harkin	Roth
Burns	Hatch	Santorum
Chafee	Hatfield	Shelby
Coats	Helms	Simpson
Cochran	Hutchison	Smith
Cohen	Inhofe	Snowe
Coverdell	Jeffords	Specter
Craig	Kassebaum	Stevens
DeWine	Kempthorne	Thomas
Domenici	Kyl	Thompson
Faircloth	Lott	Thurmond
Frist	Lugar	Warner
Gramm	McConnell	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Gorton, for

NOT VOTING—9

Ashcroft	D'Amato	Mack
Boxer	Dole	McCain
Campbell	Inouye	Moseley-Braun

So the amendment (No. 3465) was rejected.

Mr. EXON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H.R. 3021) was ordered to a third reading, was read the third time, and passed.

Mr. ROTH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MURKOWSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. LOTT. Mr. President, for the information of all Senators, there will be no more recorded votes today. However, I think it should be noted that we had hoped to move forward on the small business deregulation bill. There has been basically an objection to bringing that up at this time by one of the Democratic Members, perhaps other Members about bringing it up at this time. We are attempting though to reach an agreement on when that bill will be considered. It is one that passed overwhelmingly, unanimously, bipartisan, a good bill. I think everybody understands that. We have agreement on it. We should go ahead and move that legislation. I have discussed this with the distinguished Democratic leader. We are now trying to get an agreement on making sure that we get it up in a very short, reasonable period of time.

We will begin the omnibus appropriations bill on Monday morning. Amendments will be started on Monday with the votes to occur on Tuesday, and we will have some further specific announcement on the time of those votes. Also, we are expecting Members to have amendments ready on Monday on this omnibus appropriations bill. Again, I have discussed this with the Democratic leader. We do know already at least one amendment that will be ready on Monday is the Daschle omnibus amendment. We are working now, we are hoping maybe even here in the next few minutes to get some of the amendments, a list of the amendments that would be available on Monday.

I do want to emphasize also it is important that we get a reasonable agreement on time for handling this legislation because it will call for a conference with the House because there clearly will be differences between the two bodies' versions of the omnibus appropriations bill. We need to get it done in time so there can be a conference, an agreement in conference, and get this matter hopefully concluded by Thursday of next week.

There will be no votes on Friday and no votes on Monday, but I emphasize again we will begin debate on this omnibus appropriations bill with amendments to be offered. I hope Members will not try to hold their amendments to the second day. We just will not physically be able to accommodate that. We are going to work across the aisle to get an agreement on that at the appropriate time.

I do want to inform Members that later there will be a cloture motion laid down on Whitewater, and in all probability on the D.C. appropriations conference report.

MORNING BUSINESS

Mr. LOTT. I notice the Democratic leader is here. Just one final point. I now ask unanimous consent we have a period for morning business to 3:30 p.m. with Members permitted to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. With that, I yield the floor, Mr. President.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

CURTIS BALDWIN MEMORIAL

Mr. COVERDELL. Mr. President, on behalf of Majority Leader DOLE and myself, I would like to address the Senate on the death of Curtis Baldwin. I wish to take a moment to recognize a Senate staffer who made a meaningful contribution both to the Senate and his community.

Curtis Baldwin unexpectedly passed away this week at the young age of 36. He was born in Richland, GA, and graduated from Clark College in Atlanta.

For the past 7 years, Curtis was a Sergeant at Arms employee who was well known among his coworkers and the Senate staff as a goodhearted, dedicated, and loyal individual. Curtis will always be remembered as having a positive effect on people with his joyful disposition and contagious laugh.

In addition, he was an active and faithful member of the Congress Heights Methodist Church in Washington, DC, where he was a youth minister, a member of the board of trustees, and an assistant treasurer. Curtis found deep fulfillment in being a member of both the T.J. Horne Ensemble and the church choir. He celebrated life each day by being close to the Lord and his family.

Curtis will always be remembered in the hearts of those who knew him.

Mr. President, I thank you and I yield the floor.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

JOINT STANDARDS ON VIOLENCE

Mr. SIMON. Mr. President, last week the major leaders of the television and movie industries in the United States met with President Clinton, Vice President GORE, and in separate meetings with several of us in Congress to address the issues of glamorized violence and sexual exploitation.

President Clinton and the industry leaders are to be congratulated for coming together, an indication that both the leaders of Government and the industry take this issue seriously.

Second, while I opposed the Federal Government mandating the V-chip and the ratings system that goes with it, the fact that the industry has decided to address the pressure in the telecommunications bill for them to voluntarily set up a system rather than oppose the proposal in the courts will do some good. It is a signal to the American people that the industry is willing to show self-restraint and that good citizenship can prevail over the profits-at-any-cost philosophy.

My experience with this issue suggests that progress can continue to be made without Government entering the constitutionally dangerous field of regulating content and without the industry impairing either its profits or its effectiveness. But because this field that is entered is new in the United States for the industry, there will be some stumbling along the way. The path of real progress is rarely easy in any type of endeavor.

The television-movie leaders deserve our congratulations not only for the step just announced but for a series of positive actions that have been taken over the past few years. The industry initially moved in a more conservative direction somewhat reluctantly, but as more and more leaders started self-examination and found pride and satisfaction in the good they were doing, the progress has become more measurable.

In 1986, when I began talking about violence on television, I was a lonely voice. The entertainment industry responded to my calls for a reduction in gratuitous and glamorized violence on television with almost universal denials of any link between violence on television and violence in our society. For

even suggesting such a link, I was loudly and enthusiastically denounced by some.

When I asked that they work together to establish joint standards on violence, the networks told me that antitrust laws precluded them from doing so. When I introduced and Congress passed an antitrust exemption in 1990, signed into law by President Bush, to allow them to discuss this issue, they spent the first year and a half of the exemption doing nothing. Finally, halfway through the exemption, I took to the Senate floor to call the Nation's attention to this issue and the industry's inaction. Public hearings were held in the House and the Senate.

In response to this public pressure, the networks announced joint standards on violence in 1992. The broadcast networks led the way on this, followed by cable and the independents. The standards they developed were not as strong as I would have liked, not as strong as the British standards, for example, but a positive step forward.

In the summer of 1993, the networks established a parental advisory system. They took significant nonpublic actions to change the shape of things. The president of one of the broadcast networks told me that he viewed a film they had paid $1.5 million for, and after viewing it he decided the network should take a loss and not show it because of its violence.

When the officials of one network met, initially, one or two sharply criticized what I was doing. Then one of the officers asked the question, "Do you let your children watch what we are producing?" He reported that question changed the whole tone of the meeting and what they would produce in the future.

Jack Valenti, head of the Motion Picture Association, and others, arranged for me to meet with the Writers Guild and the Directors Guild, the creative people who help to shape what we view. A few of them were hostile, some reluctant, and others clearly welcomed a slightly different thrust.

In August 1993, the first-ever industrywide conference on the issue of gratuitous television violence was held. At that conference, I urged the industry to select independent monitors, not censors, to make any reports to the public about television programming. In early 1994, both the broadcast and cable networks announced they would do it and announced their selection for independent monitors.

These monitors, the UCLA Center for Communication Policy and Mediadiscretionary-scope, have now each issued their first annual reports. Many critics dismissed these monitors as pawns of the industry because the industry is paying for their work.

These first reports clearly belie that suspicion. They are solid, critical examinations of television programming. They make concrete suggestions for ways to improve. The reports exceeded my greatest hopes.

These studies show that television violence is still a problem, but the very existence of the reports should encourage everyone concerned about this issue. The networks invested significant sums to fund this, and they have respected the independence of the monitors' work.

The industry has proposed a voluntary rating system to provide the public with more information about their programming. I applaud this voluntary effort. The question is where we go from here.

Laudable as the most recent step by the industry is—though I voted against that V-chip in the version that passed the Senate as an unwise and probably unconstitutional intrusion of the Federal Government in the field of content—I have concerns that some in industry and Government are looking to this as the answer to the question of gratuitous violence. It will help concerned parents. Perhaps of greater influence, it will affect advertising for those who accept that form of sustenance.

I have these concerns:

First, it will take years before the V-chip is in most American homes.

Second, the recent report on television by Mediascope suggests that while ratings help parents and are helpful with young children, boys between the ages of 11 and 14 are attracted by an R rating, not repelled by it. If the study had included young people between the ages of 15 and 19, my instinct is that the R rating would prove to be even more of a magnet.

Third, teenagers are mechanically very adept. Many will find their way around the V-chip, if by no other means, by going to a friend's home.

Fourth, and most important, the homes that most need to use the V-chip will not use it. Children in high-crime areas watch half again as much television as in areas where crime is less prevalent. Too often, the children of those parents are desperately just trying to get by, and if watching more violence on television keeps the children off the streets, it will strike many parents as a reasonable tradeoff.

So I welcome the industry's considerable effort to assist the American public with ratings and the V-chip, but I view it as a mixed blessing.

Let me close by issuing a challenge to the industry and to my colleagues. To the leaders of television, I applaud the progress you are making. Broadcast entertainment TV is measurably less violent than 5 years ago and cable TV is slightly less violent. If this progress continues, 10 years from now people will look back on today's television as we now look back on old movies that have the heroes and heroines smoking and drinking heavily. Moving away from that stereotype did not hurt the movies and television, and it helped the American public.

I urge all industry leaders to read the two fine monitoring reports that the broadcast and cable industries authorized. I particularly call your attention to the statistic in the more recent report that 73 percent of violence in entertainment television has no immediate adverse consequences for the perpetrators of the violence.

The message to children and adults from that: Violence pays. The same report notes that only 4 percent of violent programs emphasize an anti-violence theme. It should not be difficult for television executives to tell their writers and directors and other creative people to shift this emphasis. We do not need to wait for a V-chip for that.

To my colleagues in Government, I urge patience. As one of the harshest critics of the industry, let us acknowledge that progress has been made even before this latest announcement and congratulate the industry for it. It is no accident that the top five in the network ratings on television today are not violent shows.

Let us applaud the progress that has been made, and let the dust settle a little, viewing carefully and not emotionally where we are, and not pass more legislation at this time. President Clinton and Senator BOB DOLE deserve some of the credit for the progress that has been made, as do many other of my colleagues of both parties in the House and the Senate. Periodic hearings should be held to determine what is happening, but let us not derail a train that is now headed in a better direction.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMPSON). Without objection, it is so ordered.

SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT

Mr. BOND. Mr. President, it is with regret, I tell my colleagues today, that we are not able to proceed at this time with the Small Business Regulatory Enforcement Fairness Act, S. 942, which was marked up by the Small Business Committee yesterday. We had hoped to be able to go forward on what is a very sound, bipartisan bill that responds to the major regulatory reform requests of the delegates to the White House Conference on Small Business. At this time, there is an objection on the other side of the aisle to calling

that measure up for consideration today.

Frankly, I am very disappointed that we are not able to go forward, because this is something that we in the Small Business Committee, with the help of others in this body who are concerned about small business, have worked on for a long time.

I want to pay a very special thanks to my ranking member, Senator BUMPERS, and his staff who worked with us and the other members of the committee to get what I think is a good bill. It was passed out of the committee on a 17 to 0 vote. It was one which I had hoped we would be able to move quickly.

We are coming up very shortly on the 1-year anniversary of the White House Conference on Small Business. A number of small businesses do not understand how slowly this place moves. Sometimes I do not understand how slowly this place moves.

It would seem to many that the time has come to respond to their requests. There are several simple requests.

One of them is to put some teeth in the measure that is supposed to give small businesses an opportunity to be heard in the regulatory process. Congress passed, and the President signed about 16 years ago, a measure called the Regulatory Flexibility Act. The objective of that act was to make sure that Government regulations which affected small business took a look at the impact on small businesses and choose a means of minimizing the hassle, the red tape, the wasted energy, the wasted effort that a regulation might impose on a small entity. I say small entity because that is only small business. It has a small profit. We have had people from colleges and universities who wring their hands and tell us that the same hassles the small businesses face affect them. I cannot tell you the number of county and city officials in my State who say, I wish we had the ear of some of the regulators in Washington because they do not take into account what some of these regulations that might be perfectly workable for a large corporation, or even a State government, do when it comes down to the local level to a small business.

Well, for years, the White House conference delegates and other small business groups have said that if you want to make regulatory flexibility work, you have to put some teeth into it. When the reg flex bill was passed initially, there was an exclusion of judicial enforcement. In other words, you could not go to court and say a Federal regulatory agency failed to take into account the impact on small business. Well, we have, by a bipartisan effort, a measure which provides judicial enforcement for regulatory flexibility. The President has called for it, the Administrator of the Small Business Administration has called for it, leading Members of both sides of the aisle in this body have called for it. We would make regulatory flexibility subject to the judicial enforcement. Why? Because, quite frankly, right now, when the Small Business Council for Advocacy goes to a Federal agency and says, "You did not take into account how this is really going to tie up small business, and you are putting a tremendous recordkeeping burden on them, putting them through a tremendous hassle," too often those agencies say, "Tough luck."

So what are you going to do about it? The answer is nothing. He cannot do anything about it. Under this bill, he could do something about it. Under this bill, a small entity could do something about it. Well, that is what is being held up today. That is what we had hoped to bring to the floor this afternoon, to do what the small businesses of America have asked us to do, and that is let their voice be heard in Washington. Let them have an opportunity to express their concerns and their complaints to the agencies that are driving them nuts.

I might add, parenthetically, that even the Small Business Administration itself came out with a bunch of regulations, some of them in its loan programs, and others, which we think might make it more difficult for small businesses. It would not be a bad idea for the Small Business Administration to take a look at how its own regulations impact small business. We can give them some help. Well, we cannot do it until we have S. 942, or the contents of that bill, passed by both Houses and signed by the President.

This measure also does some other things that are very important. It says when you write a regulation, you have to tell, in plain English, commonsense language, how an entity can comply with it, what you are really getting at in a regulation. We are saying that if you do not do that, if a regulatory agency wants to bring an enforcement action against a small entity, the small entity can look and say, here are your guidelines; or, if you do not have any guidelines, you can publish guidelines. Sometimes the simplifying guidelines a Federal agency puts out are very thick. For a small business with one, two, or three employees, not many of them have the time to read through hundreds of pages of directions. That is not simple language. I think that is a tool the small businesses need.

Senator DOMENICI, as a result of small business hearings we had in New Mexico, had a good idea, one that we need to try out, which is included in this bill. It would give small businesses an opportunity to participate in making the regulations in the first place. Let them be heard. Bring them in and let them have a crack at it. Let them have an opportunity to say how the goals of the legislation—that is, what the regulations are supposed to do to help achieve the goals of legislation—how those goals can better be achieved as they affect small business. That is also included in it.

And then we have a final provision that also came from the hearings that we held around the country, from Georgia to Alaska, Tennessee, and Missouri. We have had hearings in Minnesota, all around the country, and we have heard a lot of small businesses say that it is not just the regulations; sometimes it is the regulators themselves. Sometimes the regulators themselves come in and act like they have been sent by the king rather than by a popularly elected Government. They act like they represent a monarch, and they tread on the rights of the people who do not have the resources to fight them.

So we would set up an ombudsman, who would be available for a small business or a farmer, or other small operators, to raise an objection as to how an inspector operates. I asked the small businesses before, "Why do you not object if OSHA sends in an inspector who is overreaching, who does not listen to your side of the story, who says it is his way or the highway? Why do you not just object to the agency?" They say, "If we object to the agency, that same guy is going to come here next month, and instead of fining us $4,000 for not having a label on some dish-washing soap, he could increase the fine, or it could get even worse."

So we set up a means where an affected small business or entity that gets stepped on by these enforcers could register a complaint. We set up regional regulatory fairness boards to hear these complaints. I think it will help the agencies themselves to root out a bad apple, or to bring in an inspector, examiner, or representative who is out of hand and say, "We have had complaints about you. You are not helping the citizens we are supposed to serve and represent to comply with the laws and with the regulations. You need to shape up the way you are acting."

Well, that ombudsman provision, the regulatory fairness provision, is also included in S. 942.

Finally, equal access for justice. We want to make it easier if you are a small business and the Federal Government comes in and says, "We need a million dollars in penalties," and you say, "That would put me out of business. It is not a willful violation, and I did not cause serious harm. It is the first time I have done it." That is totally out of whack. If they proceed against you and get a $10,000 fine, then you ought to be able to get your attorney's fees from the agency that tried to run over you. It makes them accountable. It makes sure that the agency

comes in with demands that are not out of reason. That, too, is in S. 942.

Unfortunately, at this point, there is an objection on the other side. I know that we have very strong support, particularly from the members of the Small Business Committee, on both Republican and Democratic side. We would like to move this bill. We have time set up on the floor. This is valuable time that we are wasting that we are not moving forward on this bill. This is the time that we could be doing something that would respond to the concerns that the small businesses of America have about how the Federal Government acts.

Unfortunately, as long as there is that objection, it will take us some time to bring it up. We will bring it up. I know everybody seemed to be ready for it. The people who were involved in crafting it were ready to come to the floor.

I say by way of explanation to our other colleagues that I truly regret we cannot pass this measure. It is one I know had total bipartisan support in the committee. I think it will have strong bipartisan support on the floor. The President has already indicated his support for the basic principle of judicial enforcement of regulatory flexibility.

Mr. President, I only say we are still ready to do business if the Members on the other side change their mind. It is too bad we have valuable time set aside on the floor and we are not able to move.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order of the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT

Mr. DASCHLE. Mr. President, I understand that someone from the majority will be coming to the floor to offer a unanimous-consent request that has to do with a number of matters pertaining to our schedule for next week. While he is on his way, let me simply explain the dilemma that requires our objection to moving at this time to the Small Business Regulatory Flexibility Act.

We have no objection to the substance of this particular bill, with the understanding that some technical details remain to be resolved. I am quite confident that if all we had to do was to consider the bill, after only a short period of time for debate and adoption of a managers' amendment to clarify some technical questions with the bill, we would then be in a position to vote, I would suspect unanimously, for that particular legislation.

The dilemma is that the bill will very likely be used as the vehicle for another very big debate, unlimited debate, over the whole issue of comprehensive regulatory reform. That issue has been before the Senate for weeks already during this Congress. Several attempts to invoke cloture were made and failed. We could thus find ourselves in much the same set of circumstances again next week were comprehensive regulatory reform legislation offered as an amendment to this bill.

My concern is that the Senate has many important and timely issues facing it. We have a debt limit extension bill, the continuing resolution, the Whitewater resolution and a number of other issues pending. I would be very concerned if this body found itself mired once more in an impasse over comprehensive regulatory reform, with no real hope of coming to some consensus, some compromise.

We are getting closer. I think at some point there may be an opportunity to bring a bill to the floor. But we are not there yet. I think that rejoining this debate at this time on this bill would most likely undermine what possibilities there are for regulatory reform.

So bringing regulatory reform to the floor under those circumstances would not be what I view to be a very constructive exercise. But it is not my objection this afternoon that will cause the bill not to be scheduled. There are objections within our caucus, and I respect those objections. They are being made for legitimate reasons.

So we will continue to try to resolve these outstanding difficulties and come to some resolution at some point in the future. But until the broader issues relating to this particular bill are resolved, we would not be in a position to go to the bill.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FULBRIGHT SCHOLARSHIPS STAMP

Mr. PRYOR. Mr. President, on February 28, the Postal Service recognized 50 years of Fulbright scholarships by issuing a commemorative stamp in honor of this outstanding program. Fittingly, the unveiling ceremony was held at the University of Arkansas, where Senator J. William Fulbright served as president.

The Fulbright scholarships were established by the Congress in 1946 under legislation proposed by Senator Fulbright. They were intended to increase mutual understanding between the United States and countries worldwide. By anyone's measure, this program has been a great success.

Each year, nearly 5,000 individuals are given the opportunity to broaden their professional or academic knowledge by studying or lecturing at renowned international universities, or conducting collaborative research with foreign countries. Since its inception, nearly a quarter million people have participated in the Fulbright program.

The design of the stamp itself emphasizes the international exchange of students, scholars, artists, and other professionals that the scholarships facilitate. A compass laid over top of a human head symbolizes the power of the mind applied to all areas, while a decorative bookbinding paper background represents academics and the arts.

Mr. President, J. William Fulbright of Arkansas served the public with great distinction for more than 30 years. He gave great thought and care to America's role in the world, and it is most fitting that the Postal Service has chosen to pay tribute to the international exchange program which bears his name.

I know this stamp is a source of great pride not only to Senator Fulbright's family, but to all who have been associated with this special program. I hope the issuance of this commemorative stamp will help ensure another 50 years of Fulbright scholarships.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the impression will not go away: The $5 trillion Federal debt stands today as an increasingly grotesque parallel to the energizer bunny that keeps moving and moving and moving on television—precisely in the same manner and to the same extent that the President is allowing the Federal debt to keep going up and up and up into the stratosphere.

A lot of politicians like to talk a good game—and talk is the operative word—about cutting Federal spending and thereby bringing the Federal debt under control. But watch how they vote on spending bills.

Mr. President, as of the close of business yesterday, March 6, the exact Federal debt stood at $5,016,347,467,901.57 or $19,040.48 per every man, woman, and child in America on a per capita basis.

COMMEMORATION OF NATIONAL SPORTSMANSHIP DAY

Mr. PELL. Mr. President, it is with great pride that I bring to the attention of my colleagues National Sportsmanship Day which was celebrated on

March 5, 1996. This event was celebrated in nearly 6,000 schools in all 50 States and 61 countries.

My pride stems from the fact that this celebration, which is recognized by the President's Council on Physical Fitness and Sports, was established by the Institute for International Sport in 1991. The Institute, housed at the University of Rhode Island, has brought us the hugely successful World Scholar-Athlete Games, which will be held again in 1997, as well as the Rhode Island scholar-athlete games. Now in its sixth year, National Sportsmanship Day has grown not only into a national movement, but an international one as well.

National Sportsmanship Day was conceived to create an awareness among the students of this country—from grade school to university level—of the importance of ethics, fair play, and sportsmanship in all facets of athletics as well as society as a whole. The need to periodically refocus our young people on sportsmanship and fair play is sadly evident on the playing field in these days of taunting, fighting, winning at all costs mentality, and the lure of huge sums of money for athletes hardly ready to cope with life's normal challenges.

To commemorate National Sportsmanship Day, the Institute for International Sport sends to all participating schools packets of information with instructional materials on the themes surrounding the issue of sportsmanship. Throughout the country, students are involved in discussions, writing essays, creating art work, and in other creative ways engaging each other on the subject.

Mr. President, as it has in past years, the President's Council on Physical Fitness and Sports has recognized National Sportsmanship Day. I ask unanimous consent that the letter signed by the council's cochairs Florence Griffith Joyner and former congressman Tom McMillen be inserted in the RECORD following my remarks. Mr. President, I would also commend and urge my colleagues to encourage students to focus on National Sportsmanship Day and the lessons contained therein.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S COUNCIL ON
PHYSICAL FITNESS AND SPORTS,
Washington DC, March 1996.

The President's Council on Physical Fitness and Sports is pleased to recognize March 5, 1996, as National Sportsmanship Day. The valuable life skills and lessons that are learned by youth and adults through participation in sports cannot be overestimated.

Participation in sports contributes to all aspects of our lives, such as heightened awareness of the value of fair play, ethics, integrity, honesty and sportsmanship, as well as improving levels of physical fitness and health.

The President's Council congratulates the Institute for International Sport for its continued leadership in organizing this important day. We wish you every success in your efforts to broaden participation in and awareness of National Sportsmanship Day.

FLORENCE GRIFFITH
JOYNER,
Cochair.
TOM MCMILLEN,
Cochair.

Mr. PELL. Mr. President, I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SIMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHINA, TAIWAN, AND THE UNITED STATES

Mr. SIMON. Mr. President, shortly after I announced that I would be retiring from the Senate, President Clinton called and suggested that from time to time, I should give a report on some issue facing the Nation, and today I am again doing that—this time with a few observations about the relationship between China, Taiwan, and the United States.

My interest in this subject is more than a sudden thrust caused by recent developments. My parents were Lutheran missionaries in China and had returned to the United States 1 month when I was born. I tell Chinese-American audiences that I was "made in China." I grew up in a home that had Chinese art, guests, and influence. That gives me no more expertise than others, but I mention it because my interest has been longstanding.

Before the Shanghai communique that recognized the People's Republic of China, I favored recognizing the mainland Chinese Government, as well as the Government on Taiwan. It would have been somewhat similar to our recognizing both West Germany and East Germany as two separate governments. Neither Germany was particularly happy with that, but it acknowledged reality, and it did not prevent the two governments from eventually merging into one Germany.

Following that course with China and Taiwan would have been a wiser policy, and it would have acknowledged what is a reality: There are two separate governments.

But that did not happen, and hindsight is an easy luxury.

The situation now is confusing and could turn dangerous. Our colleague Senator DIANNE FEINSTEIN has described United States policy toward China as one of zig-zagging, and that, unfortunately, is an apt description.

Let me outline where we are and why I believe a firm and consistent U.S. policy is desirable for all parties.

China has moved generally in a constructive direction since the emergence of Deng Ziaoping's leadership following the death of Mao. All of us who have been visitors there are impressed by the economic gains, and with those gains has come some greater openness—within tight constraints—even on political expression, particularly in the southern part of China near Hong Kong. But the violent suppression of those who demonstrated peacefully for human rights at Tiananmen Square shocked Americans and all democratic nations, as well as the thousands of Chinese students in the United States. I remember speaking to a large gathering of Chinese students at Grant Park in Chicago. All of us were stunned by the Chinese Government's action. I also joined those peacefully protesting outside the Chinese Embassy here in Washington. The benign face of the Government of China many had come to expect, suddenly turned malevolent.

After none-too-swiftly denouncing the Government violence at Tiananmen Square, President Bush sent two of our top officials to Beijing to meet with their leaders, and whatever the content of the talks, the pictures that came back to us on the wire services were of two highly placed Americans, toasting the Chinese leadership that had just squelched, in a bloody fashion, the yearning for freedom of many of their people.

In the meantime, the nearby island of Taiwan has moved more and more toward the human rights we profess to support. Taiwan now has a multiparty system, a free press, and freedoms that are comparable to those we enjoy. Its Parliament is at least as confrontational as is our Congress, and on March 23, there will be an election for President with the incumbent President, Lee Teng-hui, ahead in the polls. It is significant that he is a native Taiwanese. Taiwan has been our seventh-leading trading partner and is No. 2 in the world in holding foreign currency reserves.

Here is where our zip-zagging comes in. At least on paper, we applaud democracies and say we will support them, and we frown upon dictatorships. But the Shanghai communique states that the United States will recognize only one China. And so we have turned a diplomatic cold shoulder to Taiwan, showing greater sensitivity to a dictatorship than to a democracy.

In terms of power, it is not a choice of two equals. For the same reasons that many in the State Department and Defense Department did not want to recognize Israel, which had significantly more-numerous Arabs as neighbors, and have had a tilt toward Turkey in her difficulties with less-numerous and less-powerful neighbors in Greece and Armenia, so there are many in key positions who say—once again—that the choices should not be made on the merits but on the numbers and the

potential power of the two governments. China has 1.2 billion people, and Taiwan has 21 million.

However, there is something that makes many of us uncomfortable when the cold calculations of population and power are used as the overriding criteria in deciding whom we befriend. When we said, as we did for a period, that President Lee, the chief executive of a democracy, could not come to Cornell University for a reunion of his class because it might offend China, it showed weakness and lack of support for our ideals. Eventually, President Clinton reversed that decision, and I applaud him for it.

With an election in Taiwan coming soon, the Chinese Government, which certainly must be a top contestant in the bad public relations field, has been making military noises that cause apprehension in Asia and concern everywhere—apparently in a heavy-handed attempt to influence the Taiwanese elections.

Complicating the Chinese situation is that they face a transition in leadership, and no potential leader wants to look weak on the issue of absorbing Taiwan into the mainland. So leaders and potential leaders try to one-up each other in sounding tough on Taiwan. The irony is that tough talk makes an eventual peaceful reunion of the two governments less likely.

While it is probable that China will not invade Taiwan in the near future, or launch a missile attack, people struggling for leadership power sometimes do irrational things. And public officials are risk-takers. No one becomes a United States Senator without taking risks, and no one moves into leadership in China without taking risks. What has to be demonstrated to China is that their belligerent talk and actions are creating hostility around the world and that an invasion or missile strike would be a disaster for the Chinese leadership and the Chinese people.

The position of the United States should be one of firmness and patience as China goes through this leadership change, evidencing our strong desire for friendship, but also our determined opposition to the use of force to achieve change. The lesson of history is that dictators who seize territory and receive praise for it from their own controlled media are not likely to have their appetite satisfied with one bite of land. If China should turn militaristic and seize Taiwan, that would be only the first acquisition. Mongolia to the north is a likely next target, and as we should have learned from Hitler, dictators can always find some historic justification for further actions.

Editorial voices from the New York Times to the Washington Post to the Chicago Tribune to the Los Angeles Times—all newspapers that have been friendly to China—have denounced that nation's belligerent noises. And the sentiment in the Senate and House is equally clear.

What should we be doing?

Our policy should be clear and firm, friendly but not patronizing, toward both governments.

The United States should enunciate a defense policy—joined in, ideally, by other governments—that military actions such as an invasion or missile strike would evoke a military response from us. I personally would favor a strong response with air power by the United States and other nations, if an attempt were made to invade Taiwan or an appropriate military response if they launch a missile attack, but the means of responding militarily do not need to be spelled out. I do not believe an invasion or an air or missile attack are likely in 1996, but any future leaders who may emerge in China should be put on notice. Secretary of Defense William Perry has hinted at that possibility, and the presence of a United States aircraft carrier in the international waters between China and Taiwan is a good signal. But hints are not enough. The Los Angeles Times editorially praised Perry for his statement as "the strongest indication that the United States might intervene if China attacked Taiwan." The best way of preventing military action is to move beyond "might." We should state our posture unequivocally. No military leader should even consider gambling on our hesitancy. Our able Ambassador to China, James Sasser—who I once encouraged to run for President—should quietly meet with their leaders and tell them we are serious about that message and that the belligerent noises are hurting the Chinese image around the world.

Another reason for doing this is that other Asian nations have serious questions about our military resolve, not our military capability. They see a few terrorists chasing us out of Somalia; they note that until recently, we were long on talk and short on action in Bosnia; and they see us quake when the Chinese Government growls. If our policy in this situation is not more clear and more firm, inevitably, Japan and other nations will invest significantly more in weapons and defense personnel, and an arms race in Asia will be accelerated. That is in no one's interests, other than the arms manufacturers. The United States has assured Japan and other Asian nations that we would come to their defense if attacked—but we also once gave that assurance to Taiwan. The nations of Asia are asking a fundamental question: Can they count on the United States?

Defense Secretary Perry has suggested that the top security officials of Asia should get together regularly in order to reduce tensions and increase understanding, an idea somewhat similar to Senator SAM NUNN's suggestions some years ago about Soviet and United States military leaders exchanging visits. The Nunn initiative produced some lessening of tensions. If China declines such a suggestion, nothing will have been lost. But anxieties among the nations of that area will diminish if China accepts such an invitation.

If China continues a policy of sending missiles to Pakistan and conducting military exercises near Taiwan, the United States should reexamine our trade policies, which now are heavily weighted in China's direction. China has a huge $34 billion trade surplus with the United States. We can ask organizations like the World Bank, which in 1994 made a $925 million, interest-free loan to China through the International Development Association, to act with greater prudence toward China. IDA loans generally go to poor nations; the average recipient country's per capita income is $382 a year. China's average of $530 is well above that, and China has foreign reserves of approximately $70 billion. When China's bellicosity toward Taiwan is combined with human rights abuses, the picture painted is not good. Our relationship should be correct but not condescending or cowering. When China sells nuclear weapons technology to Pakistan our response should be clear, not quavering. Tough nonmilitary means of sending a message to China's leadership may need to be used.

If China's leaders will lighten up a bit, and see their present foreign policy orientation as self-defeating, there is no reason China and the United States cannot have a good, healthy, and fruitful relationship that will help the people of both of our countries. If China reaches out with a friendly hand toward Taiwan, rather than with a fist, China will make gains economically and politically.

In the meantime, we should welcome visits by Taiwan's leaders to the United States and by our leaders to that Government. We should stop playing games, and stop treating Taiwan as if it is a relative with a social disease. Because of past policy errors on our part, formal recognition in the immediate future is not advisable, at least until the Chinese leadership situation is sealed. But we should encourage Taiwanese participation in international organizations, and do whatever else we might do to encourage a friendly Government that is both a healthy trading partner and democracy.

And when areas of uncertainty arise, as they inevitably will, the United States should remember our ideals, and do what we can to further the cause of human rights and democracy, not as a nation that has achieved perfection—we obviously have not—but as a country that wants to give opportunity to people everywhere to select their governments. When we stray from our ideals, everyone loses.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

UNANIMOUS-CONSENT REQUEST—S. 942

Mr. BOND. I thank the Chair. Mr. President, as I said earlier today, we are trying to move to Calendar No. 342, S. 942, the small business regulatory reform bill. I understand, if I ask unanimous consent to move to consideration of the bill at this moment, there will be an objection; so I ask.

Mr. SIMON. Yes. Mr. President, in behalf of Senator DASCHLE, for reasons he has outlined earlier, I will object.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I have heard some concern expressed that this measure may become a broad measure and involve many other items, such as controversial items that are included in the major regulatory reform bill, S. 343, which I personally hope is moving toward resolution.

There are a significant number of Members on both sides moving forward on that, but in order to assure my colleagues that we want to keep the focus on small business, we have a consent decree which would, I think, narrow it.

I want to read this consent request carefully so that other Members can listen to it, so they can think about it and see whether this would be the format under which we could bring the bill up.

Mr. President, I ask unanimous consent that on Tuesday, March 12, at 11 a.m., the Senate proceed to the consideration of Calendar No. 342, S. 942, the small business regulatory reform bill, and it be considered under the following limitation:

Ninety minutes of total debate, equally divided between the two managers; that the only amendments in order to the bill be the following:

A managers' amendment to be offered by Senators BOND and BUMPERS; an amendment to be offered by Senator NICKLES regarding congressional review; and one additional amendment, if agreed to by both leaders, after consultation with the two managers.

Further, that following the expiration or yielding back of all time, any pending amendments and the bill be temporarily set aside; further, that immediately following any ordered cloture votes on Tuesday, March 12, the Senate resume consideration of the bill, the Senate immediately vote on any pending amendments to the bill; and, further, following disposition of all pending amendments, the bill be read a third time, the Senate proceed to a vote on final passage, all without any intervening debate or action.

Mr. SIMON. Mr. President, as the Senator from Missouri knows, I happen to be on the floor. I do not know the details of all this. I object on behalf of Senator DASCHLE to what appears to be a reasonable request. I think he should take it up with Senator DASCHLE.

The PRESIDING OFFICER. Objection is heard.

Mr. BOND. Mr. President, I thank the Chair, and I appreciate the position of my colleague and neighbor from Illinois. I realize there is objection on the other side.

Let me suggest what the framework of the debate itself is. We will continue to discuss additional items to be brought up. I discussed with my ranking member, Senator BUMPERS, the objectives of keeping this bill narrow. I believe we are in agreement. Whenever we can get the agreement of the minority to proceed, I will propose that we enter into an agreement on this basis so that we keep the amendments limited, and so that we can come to closure on this very important matter.

Mr. President, since my good friend and neighbor from Arkansas is here, let us lay out some of the reasons that this bill is important. I have talked briefly about it before.

Last June, almost 2,000 delegates to the White House Conference on Small Business came to Washington to give their best advice and counsel to the President and Congress. They voted on an agenda of the top concerns of small business. The Washington conference came after a year-long grassroots effort, where over 20,000 small business people sifted through more than 3,000 policy recommendations, some 59 conferences at the State level, and six regional hearings.

Over 400 of the most important policy recommendations were voted on by delegates to the White House conference. The top 60 recommendations were published by the conference last September as a report to the President and Congress, entitled "Foundation for a New Century." Not surprising, this gathering echoed the findings that we in the Small Business Committee have heard as we have held hearings in Washington and around the country. Three of the top findings of the White House Small Business Conference were calling for reforms in the way that Government regulations are developed, the way they are enforced, and reforming Government paperwork requirements.

The common theme of all three recommendations is the need to change the culture of Government agencies, the need to provide an ear—a responsive ear—and a responsive attitude toward the small business and small entities that are the backbone of this country, the dynamic engine driving the growth of this economy.

The Vice President said to the conference delegates last year, "Government regulators need to stop treating small business as potential suspects and start treating small business like a partner sharing in a common goal." The Vice President also noted that this change in the culture of Government may take years of effort to accomplish. Mr. President, I would say, parenthetically, that if we cannot even bring the bill up, it is going to take more than years.

I am extremely disappointed that we cannot even get an agreement to bring the bill up next week. We have here before us a measure that is designed to deal with one particular area of great importance to small businesses all across the country.

One of the measures included in this bill is the Small Business Advocacy Act, recommended by Senator DOMENICI, filed in the form of S. 917, which focused on the early involvement by small business in the development of new regulations. The bill was referred to the Small Business Committee, as was S. 942, the Small Business Regulatory Fairness Act, which I introduced. We have been working to combine elements of both bills in legislation that already had been considered on the Senate floor, which was the measure to provide judicial review and enforcement of the Regulatory Flexibility Act, which says, quite simply, that Federal agencies have to take into consideration the impact on small business of the regulations they issue.

We had hearings before the Small Business Committee which confirm the importance of having this kind of reform. The SBA chief counsel for advocacy released a report that said that small businesses bear a disproportionate share of the regulatory burden. When you take a look at regulations as they affect large businesses and as they affect the smaller businesses with up to 50 employees, the cost for a small business is some 50 to 80 percent more per employee. Small business is put at a disadvantage not only in making a profit, but in competing with a larger business.

Throughout our efforts in the Small Business Committee, I am proud to say that we have worked very closely and had the greatest cooperation from my ranking member, Senator BUMPERS of Arkansas, and his staff. We have had great input from members of the committee, who have taken a very active role in holding hearings in their States and coming back with recommendations to give to us on how we can flesh out this bill and make it work better for small businesses in our States and across the country.

This bill, S. 942, came out of the committee without any opposition, and the

more people have talked about it, the more offers we have had to cosponsor it. I think the bill delivers on the legitimate regulatory concerns of small business, as well as the major recommendations of the White House Conference on Small Business, and it really does do something to address the disproportionately heavy impact that these regulations have on small business and on the paperwork burdens of small business.

This legislation is narrowly focused on small business. It does not go into the big debates over more expansive and, I think, needed broader regulatory reform. These efforts need to go forward, but I think we have something we can deliver here now, today, and, if not today, for Heaven's sake, let us deliver it next week so small business in America can begin to see that somebody is listening.

If there is one plaintive comment I have heard, both in my State of Missouri, at other hearings, and at the hearings up here, it is small business asking: "Is anybody listening? Does anybody really care what the burdens the Federal Government places on small business are doing to the small businesses?" I think it is time we answered the question, and I think it is time we answered, "Yes, we are willing to listen and do something about it." I do not think that we can abandon these efforts.

We need to move forward with regulatory relief this year. I think, as I said in my remarks earlier today, judicial review of reg flex, the 1980 provision that said regulatory agencies are supposed to consider small business, that has to be implemented, and there has to be teeth put in it. They have not done so. Regulatory agencies have routinely ignored the impact on small business. We need to give them some enforcement powers so that they will be heard.

Equally important, we need to give enforcement reform some outlet to change the culture of regulators when they deal with small business so that somebody who has examples of regulators that have been overreaching can get a fair hearing and a fair shake from the regulators. These measures would level the playing field and bring some accountability into small business.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the National Federation of Independent Business from the Vice President of Federal Government Relations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION
OF INDEPENDENT BUSINESS,
Washington, DC, March 7, 1996.

Hon. CHRISTOPHER BOND,
Chairman, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the more than 600,000 small business owners of the National Federation of Independent Business (NFIB), I urge all your colleagues to support S. 942, the Small Business Regulatory Enforcement Fairness Act of 1996. The Bond-Bumpers legislation includes important provisions that have been top priorities for NFIB members for many years. It also includes provisions that were recommended by small business owners at the 1995 White House Conference on Small Business. The bill has these important elements:

Strengthening the Regulatory Flexibility Act.

Provisions that would encourage a more cooperative regulatory enforcement environment regulation.

Updating the Equal Access to Justice Act.

Providing for the judicial review of the Regulatory Flexibility Act of 1980 is of particular concern to the small business community because it has the potential to fulfill the promise of that 16 year old law. the purpose of "reg.flex." was to fit regulations to the scale and resources of the regulated entity. A strong "reg.flex." process will provide a substantial measure of the regulatory reform that small business owners have wanted for years.

The vote on S. 942 will be a "Key Small Business Vote" of the 104th Congress.

Sincerely,

DONALD A. DANNER,
Vice President,
Federal Government Relations.

Mr. BOND. Mr. President, it says, in part:

On behalf of the more than 600,000 small business owners of the National Federation of Independent Business, I urge all your colleagues to support S. 942, the Small Business Regulatory Enforcement Fairness Act of 1996. The Bond-Bumpers legislation includes important provisions that have been top priorities for NFIB members for many years. It also includes provisions that were recommended by small business owners at the 1995 White House conference on small business.

It then goes on to describe it. It says, in closing, "The vote on S. 942 will be a key small business vote of the 104th Congress."

I see my colleague from Arkansas is on the floor so I yield the floor.

Mr. BUMPERS. Mr. President, first, I want to express my sincere appreciation to the chairman of the Small Business Committee, my distinguished colleague, Senator BOND, who has spoken very eloquently about this whole issue.

Second, I want to say that all the concerns I had about this bill—and we had some—he has very graciously accommodated. I think the bill is to the point now that if it were permitted to be brought up it would sail through this Chamber by a vote of 100–zip.

In 1980, Congress passed what we know as the Regulatory Flexibility Act. It was designed to lighten the regulatory burden on small businesses. What is wrong? It has not worked. The small business community feels that they have been taken because the bill simply did not provide the relief that was represented to them. Every White House conference for small business that has been held has put regulatory flexibility as one of the very top issues that concern them. In 1992 it was one of their top issues.

Now here is an opportunity for Congress, for the first time, to keep faith with the small business community on something they say is just about the highest item on the agenda. There is absolutely no sense in anybody delaying the taking up or the passing of this bill.

To those who are working on a much broader regulatory reform bill, I say, "amen." You have my blessing. Stay with it. I hope some regulatory reform bill on a comprehensive basis is offered that I can support. Until that happy day, this bill ought to pass now. It is not related to the broader regulatory reform bill. This bill says very simple things, but they are dramatic and they are helpful.

First, the Small Business Administration will have a small business ombudsman. Some guy comes into your office and says, "Your fire extinguisher is 56 inches off the floor and it ought to only be 54 inches off the floor, therefore I am fining you $100," they can write a letter or call the ombudsman and say, "This is ridiculous. Not only is he trying to fine me $100, he is arrogant. He is abusive." We are trying to comply with the law out here and make a living and the ombudsman can record it, sort of keep a report card on some of these people who come in with an abusive attitude. What is wrong with that?

Second, we say and this is the most important part of the bill, henceforth and forevermore when you draft a regulation you will have to accompany it with an explanation in the mother tongue—which is English—and say in clear, plain, written English what this regulation does and what it takes to comply with it. It would not be a bad idea to let the IRS in on that, too. Why is the IRS perhaps the most detested of all Federal agencies? Because everything they do is subject to 18 interpretations.

Third, there is a broader equal access to justice provision in this bill which says small business is entitled to attorney fees in certain instances where they are sued and have to resist a regulation that is found to be outside the intent of Congress. What is wrong with that?

We already have a rule that says a regulation that is found to be arbitrary and capricious can be stricken; but we do not have a bill that says if the courts find that OSHA or EPA or anybody else who tries to impose a regulation on you to be arbitrary and capricious, you win, but you lose because you do not get your attorney fees. Under this bill in such a case you would almost always get your attorney fees. That is the way it ought to be.

Finally, we have a provision that is mildly controversial called judicial review. That is, if you do not like a regulation and you believe that it goes beyond the intent of Congress and that

Congress did not intend this nonsense to be imposed on you, you challenge it. Haul them into court—why not? Congress passes a one-sentence law and the regulators will draft 1,000 regulations to enforce it, and then say those regulations are sacred even though the small business community had no input. Congress goes home, beats itself on the chest, gives itself the good government award and says, "Well, we passed a law, we thought it would be OK." But nobody rode herd on the regulators.

So here there are 1,000 regulations out there and they are saying, "We will impose these on you and you do not have the right to appeal." That is downright un-American. I do not care what anybody says.

I do not think I have ever voted to disallow judicial review. So here is a chance to say to the small business community, we have heard your complaints, we are doing everything we can, not only to lighten the regulatory burden but make the regulators pay if they unfairly and arbitrarily abuse you with their regulations.

Let me just repeat one thing. It is a real tragedy. This bill has nothing to do with this giant so-called Dole-Johnston or Johnston-Dole regulatory reform bill. I will tell you something else. I do not want it part of that bill. I do not want somebody trying to attach this bill to that bill as an amendment. I want to pass this bill and say to the small business community: Here is something for you, whether this other mess ever passes or not.

So, the minute the request of the distinguished Senator from Missouri to bring that bill up under the terms he requested, which are eminently reasonable—the minute that bill hits this floor and we spend an hour and a half debating it, it will be out of here 100-zip.

We cast 23 votes this year. Last year at this time we cast over 90 votes. In short, we are not doing anything, and, in addition to that, here we are with an opportunity to do something that really amounts to something and we cannot get that done.

So the Senator from Missouri and I are going to persevere with this. We are going to get this bill passed one way or the other, because it makes too much sense not to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

THE OMNIBUS APPROPRIATIONS ACT

Mr. HATFIELD. Mr. President, yesterday I received a letter from Dr. Alice Rivlin, Director of the Office of Management and Budget, concerning the omnibus appropriations bill our Appropriations Committee reported yesterday.

As our colleagues know, the Appropriations Committee reported that measure to provide funding beyond the March 15 deadline of the current resolution for the programs and activities of the Federal Government and agencies funded in the five appropriations bills not yet signed into law, to respond to the President's supplemental request for Bosnia operations and disaster relief and to respond to his request for additional funding for certain programs he believes to be of a priority nature.

Dr. Rivlin's letter is disappointing to say the least. She concludes by declaring, and I quote directly from the letter: "Regrettably, I must advise you that if the bill were presented to the President in its current form, he would veto it." "Veto" is the word. I do not think anybody needs to go to Webster to find out that veto is no, negative, cut off, closed issue.

By the way, may I say parenthetically, I received this letter yesterday afternoon, within a matter of an hour or two after the committee had completed its work and during which time the committee made amendments to the so-called chairman's mark. I defy anybody to go through that complex document in a matter of an hour or two and know precisely what it means and what it says.

The Appropriations Committee has gone to considerable lengths for many months to address the concerns of the administration. In the bill reported yesterday, our committee went a very long way, in my judgment, toward the administration's position on many issues. That the administration would ignore that progress and still threaten to veto before the process is even completed—because, as everyone knows we are still in the process of having the full floor consider this bill as well—indicates to me that they are more interested in the politics of the moment than the responsibility of governing.

Let me be specific. The President has made the so-called COPS Program, cops on the beat, a top priority. The bill reported yesterday provides $1 billion for that purpose. Mr. President, $1 billion is significant money.

The President vetoed the VA/HUD bill, in part because it did not provide funding for the National Service Program. Our reported bill carries Senator BOND's recommendation, as the subcommittee chairman, of $383 million for that program. The committee also agreed with his recommendation to add $240 million in funding for the environmental protection programs and $50 million for community development financial institutions, both priorities of the administration, identified as such in the President's veto message of the VA/HUD bill.

In the Interior bill, the committee concurred with Senator GORTON's recommendation that we want to refine the language on the Tongass National Forest and the salvage timber provisions of last year's rescissions bill, both in response to the President's objections listed in his veto message. We also recommended greater funding for the Park Service.

In addition, we adjusted funding levels in the Labor-HHS bill to provide for $6.5 billion for title I of that bill, compensatory education; $3.245 billion for education for the handicapped; $200 million for drug free schools. These are ample sums and all have been identified as priority programs of the administration.

Mr. President, let me underscore this sentence. All of this was done within existing constraints. In other words, it was done within the constraints of the budget resolution passed by the Congress.

But, in addition to these—in addition—our committee recommended $4.7 billion in additional money—add-on, increase—for an array of programs that the President had requested and that the committee believes should be funded if—if—the additional resources can be found.

In total, the committee provides about $6.2 billion in response to a request of the administration for about $8 billion for programs of interest to the President. We went to $6.2 billion of the $8 billion request level, contingent upon finding additional resources. There are many different ways in which you can do that. We are not prescribing how it can be done or should be done. That is not in the Appropriations Committee's role of authority.

In this context, it is utterly perplexing to me that the administration would threaten a veto when the process is just underway. I hope the President's advisers understand they cannot compel Congress to appropriate $1 of money. That is exclusively, constitutionally the jurisdiction of the Congress. I hope they realize that rejection of good-faith efforts to reach compromise and maintain the essential operations of Government will harden positions and polarize and drive some in Congress to argue for no compromise at all.

The omnibus appropriations bill reported yesterday is not the only way to maintain Government operations beyond March 15. Other vehicles that may be drafted should this proposal fail or be vetoed may not be so responsive to the administration's programs. I do not wish to pursue that course. I believe the bill reported by our Appropriations Committee yesterday is the way we should proceed; to be accommodating, as we are the only authority that can appropriate money. It is the President's check and balance to either sign or veto a bill, including an appropriations bill, but we can take those rigid positions and polarized positions and continue the stalemate.

Mind you, the Appropriations Committee of the Senate has made a long movement, serious movement, sincere movement to try to be accommodating, recognizing the President has a role in the legislative process and has his priorities. But we also have ours. It is not going to be the President's way or no way any more than we are suggesting it should be the Congress' way or no way. We have made our move. We have made the gesture of trying to accommodate in a very real way. I only hope the President's advisers realize this may be our last and best offer. If they are more interested in the substance of governing than the politics of the moment, I hope they will work with us toward a successful conclusion of our efforts.

The PRESIDING OFFICER. The Senator from Oklahoma.

A VETO OF THE OMNIBUS APPROPRIATIONS ACT

Mr. NICKLES. Mr. President, I wish to compliment my friend and colleague, Senator HATFIELD, chairman of the Appropriations Committee, for his statement. I hope the administration was listening. I just jotted down a few of the figures that Senator HATFIELD alluded to. He mentioned the committee had moved $6.2 billion out of the $8 billion the administration had requested. If I understand his statement correctly, they are still saying they will veto the bill because we are not spending enough.

If they veto this bill or maybe if their threatened veto means this bill does not go forward, therefore the net result of what they are looking at, if I think ahead of this scenario, is then they are going to be looking at a continuing resolution, one that will continue funding at the lower of the House or Senate level, maybe even less a percentage of that. So the administration, while trying to get more money in spending for a variety of programs, may well end up getting less, because, as Senator HATFIELD just stated, they cannot make Congress appropriate money. It may well be that some of the President's pet programs, if they follow through on this veto threat of what sounds to me to be a very generous, maybe even overly generous bill reported out of the Senate Appropriations Committee—if they are going to threaten to veto that bill, maybe we should just look at the continuing resolution and/or maybe we should look at zero funding for programs such as national service.

Maybe we should look at zero funding for some other programs which the President feels very strongly about. He cannot make us appropriate the money. If he wants to shut down the entire Agency because he does not get the money for want of his new programs, that would be his decision, and it would also be his responsibility. And maybe he thinks he will gain politically by doing so. I doubt it. Maybe we will have to find out.

Again, I think Senator HATFIELD has something very good for the administration. It is very premature, in my opinion, as he stated on the floor of the Senate, for the administration to be issuing veto threats just when a bill is passed out of the Appropriations Committee. Usually that is not done until bills are passed and reported out of both Houses, and then possibly a conference report.

So I am disappointed to hear of the President's veto message, or veto threat, as explained by Senator HATFIELD.

SMALL BUSINESS REGULATORY FAIRNESS ACT

Mr. NICKLES. Mr. President, I rise on the floor this evening because I want to compliment Senator BOND from Missouri, the chairman of the Small Business Committee, and also Senator BUMPERS from Arkansas for the legislation they reported out which is now pending, or we wish to have pending before the Senate.

Also, I wish to express my displeasure at those on the Democrat side—Senator DASCHLE, or whoever he is—for objecting to consider this bill. This is a bill that was reported out unanimously by the Small Business Committee. It has overwhelming support, as Senator BUMPERS mentioned and as Senator BOND alluded to as well. This is a bill that is going to pass overwhelmingly in the Senate. To object to even considering it—and I looked at the unanimous-consent request. It even said let us consider it next week. To object to consider this bill today, or next week, I think flies in the face of common sense. It is well-known. Yes, part of the unanimous-consent request is that the bill would have an amendment offered by myself and Senator REID from Nevada, a bill almost identical to the one we passed through the Senate last year unanimously. It had a 100-to-nothing vote, a bill that would say Congress should review regulations. We would have an expedited procedure to do so. If Congress did not like it, we could kill it. If we passed a joint list of disapproval, the President would have an option to veto that resolution.

So we would restore checks and balances and restore congressional accountability—because many times Congress will pass laws and tell the agencies or the regulatory agency to implement it, and then we turn the agencies loose. And then we find out the regulations are far too expensive, maybe do not make sense, and have unintended consequences.

Congress should be in play. Congress should still have exercising oversight. This is going to make Congress responsible. It is going to make Congress look at the rules that come out of legislation as a result of executive action.

So, again, this is legislation that is supported by the President. So why in the world will our colleagues on the Democrat side of the aisle not let us bring up legislation such as this that is supported very strongly by the small business community all across the United States?

I used to be in small business prior to coming to the Senate. Small businesses are strangling with the mountains and mountains of paperwork. So we are trying to give small business at least some regulatory relief. We have a chance to do it.

My colleague from Missouri passed a good bill out of committee, and it was a bipartisan bill. We do not have many bipartisan bills. We need more. We need more bipartisan work. Senator BOND and Senator BUMPERS have done it in this bill. Senator REID and I did it in the congressional review. We need more examples of that.

So then when we try to take it up and pass it either this week or next week, by a time certain, unfortunately it is objected to. Those objections will not stand. Those objections will not last. They will not prevail.

I have heard other colleagues say that maybe we want to do a more comprehensive bill. I want to do a comprehensive bill. I want a significant comprehensive regulatory bill. It does not have to be on this. We can pass two bills this year.

It is part of the frustration of being in the Senate and Congress with people thinking, "Well, there is only one bill. Therefore, we had to put everything in the world that remotely is related to it on that one piece of legislation." It does not have to happen. It should not happen. If we can put together a bipartisan coalition and pass comprehensive regulatory reform, let us do it. I will be happy to help in any way I can.

I worked with Senator DOLE to put together a good piece of legislation. Senator JOHNSTON worked with us. But we only had four Democrat votes. We had four cloture votes on that major comprehensive piece of legislation. That goes all the way back to last summer. We spent hours and hours trying to negotiate a comprehensive package.

I hope we can. I hear Members say maybe we can do it. I hope we can. I am willing to spend more hours to make that happen. But while we are here, while we are looking for legislative action, let us pass some good legislation. Let us pass legislation that makes Congress more responsible. Let us give small business regulatory relief now. If we can pass more comprehensive legislation that says the benefits must justify the cost of the regulation or the regulation does not happen, that makes sense. Let us do that, too. But it does not have to be on this piece of legislation.

So I urge my colleagues that are now obstructing this piece of legislation—not even allowing us to consider the legislation—to reconsider. I think they are making a mistake. I think small business people across the country, if they found out the Democrats are obstructing and blocking this piece of legislation, would be upset.

So I hope that they will reconsider. I hope they will allow us to pass this legislation in a bipartisan fashion as soon as possible. It will be, in my opinion, a real, positive, good piece of legislation for business all across the country.

Mr. President, I yield the floor.

Mr. COVERDELL. Mr. President, I rise to express a certain amount of indignation over the charade being played out in the U.S. Senate this afternoon.

Yesterday, I was, as a member of the Small Business Committee of the Senate, in attendance when the Small Business Regulatory Enforcement Fairness Act of 1996 was unanimously passed to the floor. I listened to the ranking member, the Senator from Arkansas, the Senator from Minnesota, the Senator from Connecticut, and the Senator from Massachusetts all heap praise on the committee chairman, Senator BOND, from Missouri for his bipartisan efforts to produce a bill that could receive unanimous consent and come to the floor and be rapidly attended to.

It is stunning, in light of those comments, that the leadership, the minority leadership, the President's leadership, would come to this floor and throw obstacle after obstacle in front of the consideration of this bipartisan piece of legislation. What it says to me is that they are bringing the President's campaign onto the floor of the Senate, and the 1996 campaign for President of the United States is at work here today on the Senate floor. The administration, the President, responding to the hue and cry across the land—which is that we have to be more attentive to small business in America. Small business produces over half the jobs, and all the new jobs—virtually 90 percent of the new jobs—are coming to small business.

Everybody admits all across the land to the regulatory burden on small business, and I wish to point out that small business means like 4 employees; 60 percent of the American businesses today have 4 employees or less; 90 percent have 25 or less. They cannot keep up with the burdens that this Government has heaped on small business, many of them family businesses. They cannot keep up with the pages and pages of regulation. They have been intimidated by regulatory bullies. Everybody—governments across the land, State governments, the Federal Government, both parties—has said we have to do something about it, including the President of the United States, who says he supports this legislation, whose members on the small business committee voted for this legislation, who said this is a true bipartisan effort, who acknowledged the chairman's work. And here we come to the floor and we run into this political wall.

This objection can only be a part of a partisan strategy. That is all it can be. And it leaves the President in a very unattractive light. This is the light. It leaves him in the position of saying, "I support the bill; I am for this," and then backhandedly going to his leadership and saying, "Do what you can to stop it."

That is a pattern, I would suggest, Mr. President, that we are seeing all too often. Remember the "I am going to lower your taxes," but then they got raised, or remember "I'm for welfare reform," but he vetoed it at midnight. And now we have "I'm for relief for the small businessman."

I am for this piece of legislation that gets at some of the fundamental changes that need to occur to help small business prosper, to help them grow, to help them hire somebody, to help create a shorter unemployment line, and here they all are, here they all are doing everything they know to do to block the consideration of that which they say they are for.

If the strategy is to say, well, the Congress is not doing anything, I can only assure them that this is going to backfire. The American people are alert. They will know who is standing in front of this. They will know who the obstacle was and is.

Mr. President, I have a letter from the National Association of Towns and Townships dated March 7, 1996 to Senator BOND thanking him for his "leadership in developing legislation to strengthen the Regulatory Flexibility Act of 1980," which this piece of legislation does. And they endorse it and strongly recommend its passage. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
TOWNS AND TOWNSHIPS,
Washington, DC, March 7, 1996.

Hon. KIT BOND,
Chairman, Small Business Committee,
U.S. Senate, Washington, DC.

DEAR SENATOR BOND: The National Association of Towns and Townships (NATaT) would like to thank you for your leadership in developing legislation to strengthen the Regulatory Flexibility Act of 1980 (RFA). NATaT strongly supports S. 942, the Small Business Regulatory Enforcement Fairness Act of 1996. NATaT has long supported judicial review of the Regulatory Flexibility Act (RFA), which is a major component of S. 942.

NATaT represents approximately 13,000 of the nation's 39,000 general purpose units of local governments. Most of our member local governments are small and rural and have fewer than 10,000 residents. These small communities simply do not have the resources to comply with many mandates and regulations in the same fashion that larger localities are able. The impact of federal regulations on small localities was understood by the authors of the RFA and small localities were therefore included under the definition of small entities in that act.

NATaT has long recognized the failings of the RFA and has fought to strengthen it over the years. We have concluded that the only way to get federal agencies to take notice of their responsibilities under the RFA is to allow small entities to take an agency to court for failure to follow the provisions of the RFA. Strong judicial review language would do just that. NATaT strongly supports the judicial review language and would oppose any efforts to weaken it.

Sincerely,

TOM HALICKI,
Executive Director.

Mr. COVERDELL. Mr. President, I am going to yield the floor. I just want to reiterate that the President's own men looked right at this Senator in front of me and said, "Thank you. You have done an outstanding job. You have demonstrated true bipartisanship." And everyone voted to bring this to the floor for judicious handling and management. The President has said publicly he supports it, and their leadership on that side of the aisle is blocking it. The truth will be known as to who is for it and who is against it. This is one for which the 1996 Presidential campaign ought to have waited in the name of the Americans who are waiting for this relief.

I yield the floor.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. The White House Conference on Small Business which was concluded about a month ago took a look at a number of issues that are faced every day in small business, or maybe just the business world faces every day in doing business—the number and scope of Federal regulations and the cost of compliance. They took a look at penalties, the lack of cooperation, and as far as the Government entities are concerned that are charged with compliance or enforcement.

We got that report from the President's conference on small business. I know my friend from Missouri spent hour after hour combing through the report after that conference was over. It was pretty comprehensive on what areas we could deal with and what areas maybe that we could not deal with. But it was pretty obvious that we had a lot of work to do in this piece of legislation. It is truly bipartisan. We marked it up the other day, after Senator BOND's work, and then the years that the ranking member, Senator BUMPERS of Arkansas, spent in trying to find middle ground or to craft a piece of legislation that could pass this Congress. He has a vital interest in this and he has been a vital part of this, to bring this piece of legislation to the floor.

I believe the measure does strike the right balance. It strikes a balance between business and the burdensome regulatory and enforcement nature of the Federal Government. Business owners who deal with these regulations every day are telling us "give us some flexibility, give us some relief," not maybe to change a law but get the regulatory agencies in a position that they can be an advocate for business, put them in a support role, not just to go out and levy fines or find something wrong.

There is probably not a business in the world where you cannot go out and find something wrong or some violation of some rule or regulation. The regulatory agencies should be an advocate of that business and help them to put their house in order. Just give us a little help. Tell us what we are doing wrong and then turn around and help us fix it.

I think we can find that relationship between the regulators and, of course, people who are trying to make a living in this country.

This measure incorporates several provisions that will greatly help entities which are defined as small business, small nonprofits and, of course, that is what we find in our small towns. When you are a 98 percent small business State, as Montana is, this happens to be a very important issue. After all, all the new jobs are being created by the young entrepreneurs who are starting out in business and they are hiring one, two, three, four, five people to get started in hopes of growing to something larger. It even encompasses our people who work on our farms and ranches.

I am very concerned about the changing attitude that has been occurring in probably one of the most helpful, the most knowledgeable agencies in the U.S. Department of Agriculture, and that is the Soil Conservation Service. They have taken a support group of actually great people and know what they are talking about when it comes to soil science, soil conservation, water management, water conservation, what to do about erosion—the farmers and ranchers across this land really placed a lot of confidence in the know-how of the Soil Conservation Service—and turned them into a regulatory unit which maybe a farmer or rancher does not want to come back on their farm or their ranch anymore. That is a relationship that has been destroyed because of the nature of the bureaucracy in this day and age.

I think this law creates a cooperative relationship between regulators and small business entities, one that is less punitive and much more solution oriented.

It adds a trigger to the Regulatory Flexibility Act when a rule is likely to have a significant economic impact on the substantial number of small entities, and the agency would then have to show they have taken steps to minimize the impact of the rule on small businesses available within the agency's discretion.

The RFA would also be applicable to the IRS rules and substantive interpretive rulemaking, for the first time. I just went down through some of the things that it does. It struck me in the compliance guides, it means, write the rules and regulations in plain English so all of us can understand it, and gets away from these legalees or gets away from the language that, no matter which way you go, you are going to be out of compliance as far as a businessman is concerned. Just keep it simple. That is not asking too much.

It asks for more input from the small businesses during the rulemaking process. We had a hearing in my State of Montana on the new rules and regulations on safety in the workplace in the woods, logging, requiring that an employer enforce a rule to make loggers wear a specific kind of logging boot. It is a caulk boot. You know what? The boot is not even out on the market yet. They cannot even buy it at any price. They cannot get it. The logging operation is shut down because the rule called for the boot, and it is not available.

There, again, you are asking for some flexibility. Not a bad idea. Weigh first-time penalties for small infractions. Quit going out there and beating up on people.

It makes Government more cooperative, and it even makes the businesses more cooperative, also. Those are just some things that happened in this act. I find that if you come forward with a piece of legislation which has strong bipartisan support—and I mean everybody on that Small Business Committee had an opportunity for input in crafting this legislation—and then we bring it to the floor in hopes of giving small business some relief, and it is filibustered by the other side of the aisle—make no doubt about it, they will not let this piece of legislation come up for a vote. They always told me, the price of a filibuster is a few political chips. Somebody better be paying it, and somebody better be kicking some into the pot, because along with everything else, we do not want to get into a situation, especially in a year like 1996, where the only thing we do is get into the business of name-calling and not really looking at this piece of legislation and what it does for us.

Small business is where it is at. We do not even pick up the business section in the paper that we do not see large corporations downsizing, spinning off small parts of their own industry. You know what? That is not all bad because some of those little spinoffs, they go out, they hire smaller, they become lean and mean, and you know what? Pretty soon they become very profitable.

So when you look at S. 942, it is something that I think the Small Business Committee can be very, very proud of. It has new compliance guidelines, informal small-entity guidance services to small business development centers, even enforcement on ombudsman and regional boards that creates some kind of a relationship between those people who do business with the Small Business Administration in trying to get their businesses off the ground. It levels the playing field. It allows small business to do business on the same level as big business.

So I congratulate Senator BOND and Senator BUMPERS for working on this, working it out the way it should be done. I mean, we have been part of the criticism, too, that we are too partisan. But this one really was not. This was a bill that was worked on and was worked on, and it was fine-tuned before it was ever allowed to come to a vote in the committee. Everybody had an opportunity to be a part of this Small Business Regulatory Enforcement Fairness Act of 1996.

We cannot talk one way and act another, because I think the information and the availability of how we act and what we say is too open to the world to then go home and tell the folks that we have done something else. I do not think we are in that kind of a position.

So I hope and I suggest that the other side of the aisle—let us get this on the floor. If you have some complaints about it, let us bring them out and let us try to work them out. That is the way legislation moves. I do not think there is anybody on this committee that is not amenable to suggestions as far as this piece of legislation is concerned, because as far as small business is concerned, this could be the biggest piece of legislation that we move this year. So I thank my chairman and the ranking member, and I hope that we can pass this posthaste. I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Missouri.

Mr. BOND. Mr. President, I want to express my sincere thanks both to Senator BURNS and to Senator COVERDELL, two members of the Small Business Committee who have been very active participants. They have held hearings in their own States. They have brought us good ideas from their States that we have incorporated in S. 942.

I share the sentiments expressed by Senator BURNS. We have had great cooperation, as mentioned before, from Senator BUMPERS, all of the Democratic members of the Small Business Committee, and their staffs. I think we have a good piece of legislation. Senator COVERDELL, at my request, introduced a letter of endorsement from the National Association of Towns and Townships. They, too, are going to be affected and benefited. This is not for

small profitmaking corporations only or individuals; this affects small entities like not for profits and small local units of government.

So we have made an offer for a very tight unanimous consent request to move forward on this bill. We asked to do it today. That was objected to. We asked to do it Tuesday. That was objected to.

My plea is, small business, small entities want some relief. They have given us good ideas. We worked on it in the committee. Let us go forward. I ask the Members on the other side who are objecting, let us go forward and get on with this, because small business deserves to have an answer. So do the other small entities affected. I hope that we will be able to move forward early next week. But right now it still depends upon whether the objections will be raised on the other side.

Mr. President, I yield the floor, and I thank the Chair.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

THE OMNIBUS APPROPRIATIONS ACT

Mr. GORTON. Mr. President, I hope that my distinguished friend from Missouri and my friend from Montana will attend my remarks for just a moment, and perhaps comment on them, just as they have on one another's with respect to the bill that they have been so eloquently attempting to move to passage.

Just a few moments ago, the distinguished chairman of the Appropriations Committee, Senator HATFIELD, appeared on the floor with the extraordinary news that the administration had expressed its unwavering intention to veto the omnibus appropriations bill that was reported by the Senate Appropriations Committee just yesterday.

The Senator from Oregon pointed out that appropriations, the spending authorization for the spending of money, is the prerogative of Congress. That is perhaps the most fundamental of all the prerogatives of Congress, that no President of the United States has ever been able to or can now or will be able to in the future force the Congress to pass an appropriation at a level that the President wishes.

But my distinguished chairman and friend from Oregon, I do not think, reached the true depths of the arrogance of this veto threat. So while he was speaking, I got out our publication, our committee report, on the subject. I discovered that the total amount of money that we proposed to allow the President of the United States to spend during the current fiscal year in that bill, for five different agencies, is $164 billion, approximately $164 billion, approximately $164 billion, of which a little less than $5 billion is restricted and cannot be spent unless the President reaches an agreement with Congress on a balanced budget at some time in the future.

The President of the United States has said that he will veto this bill unless we allow him to spend $166 billion instead of $164 billion without any restrictions, without any commitment on his part, without any agreement with the Congress with respect to a balanced budget in the future.

I must say that I find this to be absolutely extraordinary and without precedent, that a President of the United States should, once again, threaten to close down five major units of our Government because we propose to allow him to spend $164 billion and he wants to spend $166 billion.

I know that each of my colleagues here on the floor is a chairman of a subcommittee on the Appropriations Committee, as am I. The Senator from Missouri and I are chairmen of subcommittees whose bills are a part of this overall bill. But I just wonder whether they agree with me or not that it is practically beyond belief that a President of the United States should threaten this whole range of programs in all of our areas on which we are willing to spend $164 billion just as he is willing to commit himself at some point or another to a balanced budget, and the great bulk of that, $159 billion anyway, whether he agrees or not, just because we will not spend $2 billion more than he wants.

Mr. BURNS. If the Senator from Washington will yield.

Mr. GORTON. I will yield.

Mr. BURNS. I do not know where he wants to spend the $2 billion. He was not specific about that, I ask?

Mr. GORTON. I believe he was specific about it. Perhaps a few hundred million were in the field of the Senator from Missouri. Others were in social and health services.

My own responsibility for the Department of Interior and related agencies, where we are willing to spend $12.5 billion, is maybe $200 million more than he wants to spend over and above $12.5 billion; in other words, 1 or 2 percent more money than we are authorizing for him, and yet he threatens to veto this entire bill because he cannot spend every dime that he wishes to spend.

Mr. BURNS. I congratulate the Senator from Washington, because I know we had to look at Indian schools, we had to look at the Indian Health Service. Those areas suffered cuts last year, and we tried to add some money back and were successful in doing that, and we get this close.

I am wondering, though, if we are not sort of lapping over into the political world rather than the world of reality or this world of trying to finance the Government and make it work.

Mr. GORTON. It seems to me that is the most apt comment on the subject.

Mr. BOND. Mr. President, if the Senator from Washington will yield.

Mr. GORTON. He will.

Mr. BOND. The thing that is striking to me is that we have been working on these bills for many months. I have been working on the title which funds veterans, housing, environment, Federal emergency management, and as I think my distinguished colleague knows, we have been trying to find out from the administration what they want.

I remember when our son was 2 or 3 years old, he would come in and say he wants more. From a 2- or 3-year-old maybe more is a reasonable request, but when you get it from a Budget Director who is supposedly supporting a President who now recognizes the need for a balanced budget, when the President and the Budget Director refuse to give you any specifics, it, to me, is amazing that they can get by with doing nothing but issuing veto threats.

I ask the Senator, maybe he has heard, because I have not heard, from the White House, the Office of Management and Budget, of any changes that they wish to see so that they can utilize the funds better?

It is a great gimmick. It is a great political campaign to say, "I am going to spend more on everything. Of course, I'm for a balanced budget. Of course, I'm for a balanced budget, but I want to spend more on everything."

Do they tell you where they want to make any cuts, I ask the Senator? Did they tell you where they want to save money?

Mr. GORTON. For almost a year, this Senator has suggested that within the frame of reference of the amount of money available to use for the Department of the Interior and related agencies, if the administration wanted to shift priorities, then we would be happy, seriously, to consider those shifts. None have been proposed.

Mr. BOND. You have not heard from them either. I thought I was the only one who was completely stiffed by them. In November, I put in requests. I asked the Agency heads, the Department heads whose budgets we fund, "If there is an adult in supervisory authority, please have them contact us and say what changes they want to make."

I had a conversation with the Vice President. I said, "This is a process in which the executive and the legislative branches need to sit down and compromise."

Every government I have ever served in, and I served at the State level where I was a Republican chief executive with a Democratically controlled legislature, we always sat down and worked together, and the people expected us to do that.

How can the people of the United States expect us to negotiate a budget or appropriations bills when one side will not even talk to us and all they do

is send veto threats? I ask my colleague, how do you compromise? How do you work with, how do you negotiate with somebody who will not talk with you?

Mr. GORTON. Well, you do not. I must say, I found particularly striking the analogy of the Senator from Missouri to a 2- or 3-year-old child who simply says, "More."

In this case, what we have is an administration that only says, "More. We want more spending, we do not want any setoffs, but we want to send the bill to somebody else, to our children and our grandchildren. We really do not want a serious proposal that will lead us to a balanced budget, except maybe after the end of the next Presidential term. We will think about binding someone in the future, but we don't want to bind ourselves."

So we have now in front of us the proposition that $164 billion is not enough money to spend, and the President will veto a bill that only spends $164 billion, of which $5 billion is fenced, as it were. "We've got to have $166 billion to spend the way we want without any conditions imposed on that spending."

Again, I think the Senator from Oregon was too polite to say so, but I believe that if that is the proposition with which we are faced, it is pointless to spend a week or so of this body's time debating the details of a proposal which will be vetoed in any event.

Regrettably, we will perhaps have to approach the President with another of these notorious continuing resolutions; that is to say, short-term appropriations bills, which—and I think I can speak for my colleagues on this side of the aisle—when I say they will be for smaller amounts of money, they will be markedly smaller amounts of money in authorizations for the administration than is the bill that was arrived at working with both Republicans and Democrats in an attempt to reach a common ground somewhere between the last set of appropriations proposed by this body and those originally asked for by the President.

It is too bad, but here we are with a veto threat over the proposition that we are not going to spend $166 billion in exactly the way the President wishes but only $164 billion, with $5 billion of it contingent upon the President agreeing to a balanced budget at some reasonable future time.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

STATEMENTS OF THOMAS JEFFERSON ARE RELEVANT TODAY

Mr. SIMPSON. Mr. President, I recently came upon some statements offered by Thomas Jefferson, which, I think, appear to bear some remarkable relevance to our current predicament. To quote from one of them from 1816, in a letter to Governor Plumer, he said: "I place economy among the first and most important of republican virtues, and public debt as the greatest of the dangers to be feared."

On another occasion, he made the same point, perhaps even more dramatically, in a letter to Samuel Kerchival, also in 1816: "We must make our election between economy and liberty, or profusion and servitude."

It is when we are having the most difficulty attending to and resolving the most vexing issues of the day that we can profit most from such reminders and that much of what confronts us today has been dealt with by so many of our greatest public servants who came before us.

One simply cannot read many of the statements of our third President, Thomas Jefferson, without coming upon repeated, potent references to the necessity of eliminating public debt. I suggest that he would be horrified to learn that we would ever consider allowing our current impasse to stand and to leave deficits and mandatory spending to spiral upward unabated.

It is all very well, politically, to say that we will—our two parties—take our respective cases to the electorate in November to "let the people decide" as to who failed who in the realm of public responsibility. But, in the meantime, I think we do a tremendous disservice to our citizens for as long as we leave this situation unresolved.

Here is another quote from Thomas Jefferson, stated to Thomas Cooper in 1802, which says it perhaps more vividly and relevantly even than the others: "If we can prevent the government from wasting the labors of the people, under the pretense of taking care of them, they must become happy."

Well, I think that is the nub of it. "If we can prevent the government from wasting the labors of the people, under the pretense of taking care of them, they must become happy."

I certainly agree with that. I can think of few things more dangerous and more cruelly deceptive than to suggest that we must continue to pile debt and misery upon our children's heads because we dare not slow down, in any way, the current engines of spending growth, which churn out funding for various beneficiaries of Government largess. We do not "take care of" anybody when we do this. We do not take care of anyone's children by forcing tomorrow's children to pay lifetime tax rates of 80 percent. That will, I assure my colleagues, lead to more misery, more poverty, more hunger and need and deprivation, and more intergenerational hostility than anything ever contemplated in any balanced budget agreement.

Mr. Jefferson was fully acquainted with the dangers of mounting public debt. Indeed, one might say that the principal challenge of the young republic was how to discharge the massive debts compiled by the individual States in the course of the American Revolution.

Alexander Hamilton was, of course, instrumental in diagnosing the severity and nationality of this problem, arguing that the Federal Government must bear the burden of lifting the national debt burden because we would all collapse together anyway if this was not properly done.

That brings to mind Daniel Webster's remark about Alexander Hamilton. If you think of rhetoric today and the emotion and passion of speech, Webster said this about Hamilton: "He smote the rock of the national resources, and abundant streams of revenue gushed forth. He touched the dead corpse of Public Credit, and it sprung upon his feet." Now, you can see that quote etched at the base of the Hamilton statue at the Department of the Treasury, if you so desire to check it.

Mr. Jefferson, again in a letter to Governor Plumer, stated his recognition of the necessity of reducing public indebtedness. Mr. Jefferson did not always agree with Alexander Hamilton's solutions and methods, to be sure. But they were certainly in agreement as to the necessity of eliminating the poison of mounting public debt.

To Governor Plumer, Jefferson wrote: "We see in England the consequences of the want of economy; their laborers reduced to live on a penny in the shilling of their earnings, to give up bread, and resort to oatmeal and potatoes for food; and their landholders exiling themselves to live in penury and obscurity abroad, because at home the government must have all the clear profits of their land."

That sounds like a pretty fair description of what is going to happen to us. Our own Government continues to increase its share of the Nation's "profits"—the savings and investment—which it must absorb in order to finance the massive spending increases we have programmed into our laws. Indeed, the burden of paying for that irresponsibility falls ultimately on the taxpayers, our taxpayers, our citizens, and cuts into the share of their own pay, which they would otherwise be able to use to provide for themselves.

I fully recognize there are many Senators here on both sides of the aisle who are equally committed to confronting and resolving these woes resulting from our debt. There are sincere disagreements as to how to accomplish that goal. I do believe there is now widespread recognition that the goal must be met.

I, therefore, close by reiterating my belief that we must not give up on this process. We must not give up on coming to agreement merely because of the disagreements which have divided us to this point. I do not find any reason to

"give up" to be a convincing one. Give up because we believe we might hold political advantage if the impasse persists, or because we cannot agree on the size of a tax cut? When "our cause" is the elimination of increases in the public debt, these are simply not sufficient reasons.

As a member of the bipartisan Senate group headed by Senators CHAFEE and BREAUX, I have joined approximately two dozen Senators, from both sides of the aisle, in putting forward our best hope of "splitting the difference" between the two sides in order to get this job done. It might not be the only way and might not be the magic formula which produces an agreement, but it is certainly better than "packing it in" and, instead, morosely retreating to consult with our political advisers as to how best to cope with the public anger in the wake of our failure to complete our work—sitting with our gurus saying, "How do we get around this if we do not do anything?" Well, you do this and do that. We all know what that is.

So I suggest to my colleagues that they pay heed to these words of Thomas Jefferson and be reminded that we are truly facing a choice between "liberty" and "servitude" when we choose between a balanced budget and mounting debt. That is very much the choice that confronts our children and grandchildren, and we have now to make the choice for them. I do hope and pray that recognition of this will spur all of us on to renewed efforts to reach an agreement and to defer any further thoughts of simply extracting political advantage from failure. That would be terrible.

Mr. SIMPSON. Mr. President, I have a comment on a rather elusive matter. We work in an arena where truth is always a rather elusive entity. Many statements in this place seem to be repeated ad hominem and ad nauseam, however inadvertently, without regard to any basis in fact. A mischievous speaker may do this because he or she believes that, as has often been said, "A falsehood repeated often enough will be believed." Equally often, this happens because this is simply what the individual has been told, perhaps several times, and thus the rash assumption is made that a statement made so often "must be true." Thus, often, in good faith, speakers perpetuate ideas and statements which are simply and totally at complete variance with the facts.

To cite one specific case, I wish I could count how many times it has been stated as an article of pure faith by those on the other side that we have had however many hours of hearings on Whitewater and Travelgate, but only one, or none, on Medicare. The Democratic policy channel on the televisions in our offices also plays this old and tired tune. Many speakers on the other side of the aisle have repeated it in old and tired phrases. The only problem is, it is just simply not true. It is not even close to being true. It is one of those myths which has developed, somehow directly, in the teeth of the facts. I did a little checking of the record. I know that is not what we are supposed to do. I did a little checking of the record on this matter. I ask unanimous consent to have printed in the RECORD a listing of all of the hearings held in the last year in the Senate Finance Committee alone on the subject of reforming Medicare, Medicaid, welfare, the Consumer Price Index, and any number of other related matters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE FINANCE COMMITTEE HEARINGS & MEETINGS 104TH CONGRESS (ORGANIZED BY ISSUE)

TOTAL HEARINGS & MEETINGS: 101

Full Committee Hearings: 62.
Subcommittee Hearings: 13.
Total Hearings: 75.
Executive Sessions including 3 Conferences: 22.
Private Meetings: 4.
Total Meetings: 26.

CONSUMER PRICE INDEX—3 FULL COMMITTEE HEARINGS

3/13/95—Consumer Price Index.
4/6/95—Consumer Price Index.
6/6/95—Overstatement of Consumer Price Index.

MEDICAID—6 HEARINGS (5 FULL COMMITTEE, 1 SUBCOMMITTEE)

3/23/95—Medicaid Subcommittee—1115 waivers.
6/28/95—Medicaid, Opinions of the Governors.
6/29/95—Medicaid, Historical Background.
7/12/95—Medicaid, State Flexibility.
7/13/95—Medicaid, Interest Groups.
7/27/95—Medicaid, Formula Calculation.

MEDICARE—10 FULL COMMITTEE HEARINGS

2/28/95—Medicare Perspectives.
5/11/95—Medicare Solvency, part 1.
5/16/95—Medicare Solvency, part 2.
5/17/95—Medicare Solvency, part 3.
7/19/95—Medicare Payment Policies, part 1.
7/20/95—Medicare Payment Policies, part 2.
7/25/95—New Directions in Medicare, part 1.
7/26/95—New Directions in Medicare, part 2.
7/31/95—Medicare Fraud and Abuse.
8/30/95—Medicare: The Next Thirty Years.

MISCELLANEOUS—5 HEARINGS (2 FULL COMMITTEE, 3 SUBCOMMITTEE)

5/4/95—Vaccines for Children Program.
6/13/95—SS Subcommittee—AARP, part 1.
6/20/95—SS Subcommittee—AARP, part 2.
7/20/95—SS Subcommittee—Population Control.
7/28/95—Debt Limit.

NOMINATIONS—7 FULL COMMITTEE HEARINGS

1/10/95—Rubin Confirmation Hearing.
2/16/95—Chater, Vasquez, Foley Confirmation Hearing.
5/10/95—Lang Confirmation Hearing.
6/8/95—Shapiro, Hawke, Robertson, Moon, Kellison Confirmation Hearing.
7/21/95—Callahan, Schloss, and Summers Confirmation Hearing.
11/30/95—Bradbury, Gale, Lipton, Skolfield, Shafer and Williams Confirmation Hearing.
12/5/95—Gotbaum Confirmation Hearing.

SOCIAL SECURITY—7 HEARINGS (3 FULL COMMITTEE, 4 SUBCOMMITTEE)

3/1/95—Social Security Earnings Limit.
3/22/95—SS Subcommittee—Social Security Costs.
4/7/95—SS Subcommittee—Annual Report of Trustees.
5/9/95—1995 Annual Report of Trustees, part 1.
6/6/95—1995 Annual Report of Trustees, part 2.
6/27/95—SS Subcommittee—Solvency of the Trust Funds.
8/2/95—SS Subcommittee—Social Security privatization.

TAX—22 HEARINGS (19 FULL COMMITTEE, 3 SUBCOMMITTEE)

1/24/95—Estimating Revenue.
1/25/95—Economic Outlook.
1/26/95—Federal Budget Outlook.
1/31/95—Savings in our Economy.
2/2/95—Savings as Incentives.
2/8/95—FY 1996 Budget with Secretary Rubin.
2/9/95—IRAs 401K's & Savings.
2/15/95—Capital Gains.
2/16/95—Indexation of Assets.
3/2/95—Middle Income Tax Proposal.
3/7/95—FCC Tax Certificates.
3/21/95—Tax Subcommittee—Expatriation.
4/3/95—Tax Subcommittee—Research tax.
4/5/95—Flat Tax, hearing 1.
5/3/95—Alternative Minimum Tax.
5/18/95—Flat Tax, hearing 2.
6/7/95—Small Business issues.
6/8/95—Earned Income Tax Credit.
6/19/95—Tax Subcommittee—S corp reform.
7/11/95—Expatriation Tax.
7/18/95—Deficit Reduction Fuel Tax.
7/21/95—Foreign Tax Issues.

TRADE—5 HEARINGS (3 FULL COMMITTEE, 2 SUBCOMMITTEE)

4/4/95—Trade Policy Agenda.
5/10/95—World Trade Organization.
5/15/95—Caribbean Basin Initiative.
8/1/95—Trade Subcommittee—various issues.
12/5/95—OECD Shipbuilding Subsidies Agreement.

WELFARE—10 FULL COMMITTEE HEARINGS

3/8/95—Welfare Reform—States Perspective.
3/9/95—Broad Goals of Welfare.
3/10/95—Administration's Views on Welfare.
3/14/95—Teen Parents & Welfare.
3/20/95—Welfare to Work Programs.
3/27/95—SSI Program.
3/28/95—Child Support Programs.
3/29/95—Welfare, Views of Interested Organizations.
4/26/95—Child Welfare Programs.
4/27/95—Welfare Reform Wrap Up.

EXEC SESSIONS—21 MEETINGS INCLUDING 3 CONFERENCES

1/10/95—Organization Meeting & Vote on Rubin Nomination.
2/2/95—Executive Session appointing Joint Tax Members.
2/8/95—Executive Session appointing Subcommittees.
3/8/95—Vote on Foley & Vasquez Nominations.
3/15/95—Tax Markup on HR 831.
3/28/95—Conference on HR 831.
5/10/95—Vote on Lang Nomination.
5/24/95—Welfare Markup.
5/26/95—Welfare Markup.
6/8/95—Vote on Shapiro, Hawke, Robertson, Moon & Kellison nominations.
6/22/95—Conference on H.R. 483—Medicare Select.
7/21/95—Vote on Callahan, Schloss and Summers Nominations.
9/26/95—Medicare/Medicaid Markup.
9/27/95—Medicare/Medicaid Markup.

9/28/95—Medicare/Medicaid Markup.
9/29/95—Medicare/Medicaid Markup.
10/18/95—Tax Markup.
10/19/95—Tax Markup.
10/24/95—Conference on H.R. 4—Welfare.
11/2/95—Markup on revenue provisions of S. 1318.
11/30/95—Vote on Bradbury, Gale, Lipton, Skolfield and Williams Nominations.
12/14/95—Mark up of Social Security Earnings Limit Legislation and vote on the Gotbaum and Shafer nominations.

PRIVATE MEETINGS—4 MEETINGS

5/4/95—Meeting with Secretary Shalala.
8/2/95—Meeting on the Budget.
8/4/95—Meeting on the Budget.
8/10/95—Meeting on the Budget.

Mr. SIMPSON. Mr. President, I am now a member of that committee and I sat in on those hearings. They were often held at 9:30, 10 o'clock in the morning. Had I been chairman I might also have sought to have them in the afternoon. I was there for almost all of them, usually arriving after some haste ill-attained in getting through the D.C.'s fabled rush hour traffic from my home in Virginia.

We held 10 full Finance Committee hearings last year on Medicare alone—10. They were not about abstract, philosophical topics, but subjects directly related to the solutions presented in our budget proposal. On May 11, 16 and 17 we had hearings specifically on the question of how to restore solvency to the Medicare Program. We tackled the issue of payment policies in hearings on July 19 and 20. We explored more comprehensive reforms on July 25 and July 26. On August 30 we dealt with the subject which I personally think requires much more, much more attention—the 30-year future of Medicare. That is when the real problems all coalesce. This is only part of the list, as the record will show.

We also had multiple hearings on Medicaid. The proposals which we made in the course of budget reconciliation were all explored in depth at those hearings. The opinions of the Governors regarding our plan was heard on June 28. The importance of flexibility for the State Governments in administering Medicaid was explored July 12. The proper way to calculate the distribution of funds under the Medicaid formula was explored on July 27. Again this is only a partial list.

Even the issue of the Consumer Price Index reform, which so many have said we should "not rush to do," especially not rush to do in budget reconciliation, the CPI reform was the subject of several full committee hearings on March 16, April 6, and June 6. When somebody tells you we have not done anything—and looked into CPI; we do not want to rush into it—cite those, please. Having been right there personally I can tell you few experts believe we are acting with any sense at all on either side of the aisle in allowing the expensive errors in the CPI calculation to persist. That is absurd. It is out of whack either .5 or up to 2.2. Everybody that testified said that. If you dealt with it, knocked off a half percent or full percent in the outyears, in 10 years, at 1 percent, it is $680 billion bucks—billion bucks—and we do not even play with it.

The senior groups all seem to flunk the saliva test when we begin to talk about the CPI. "Oh, break the contract, break the contract." I am telling you, they will break America. We are not talking about them or to them. None of them will be hurt in anything we are doing. No one over 60 is even affected by the things we have in mind, but people between 18 and 40 will indeed be on a destructive path.

Mr. President, I do not know what to make of these assertions that we have not had hearings on Medicare or Medicaid. We have had many. The record speaks clearly. On Medicare alone, 10 full committee hearings. It seems to me be a trend in Washington saying that what has happened has not happened and vice versa. The media plays that well in their recountings of these things. Perhaps the assertions will be revised to state that we only had a minimal look at Medicare. That would probably be the result of the response to my remarks.

I do not know how many dozens of hours were needed to spend on that to escape the application of that term. I also note that this work continues on in the current year. We had another remarkable hearing on Medicaid last week with six of our Nation's Governors testifying—three Republicans, three Democrats—in describing the desires of the State governments with regard to Medicaid.

So I ask these items be printed, and I ask my colleagues to perhaps refrain from repeating the charge that we have not thoroughly explored Medicare in committee hearings. The facts are exactly otherwise, and I wish my good colleagues to know that.

INTERNATIONAL FAMILY PLANNING FUNDING

Mr. SIMPSON. Finally, a comment on family planning funding. I want to express my serious concerns about the severe restrictions this Congress has imposed on U.S. funding for international family planning assistance.

My colleagues will recall that the Senate successfully avoided a partial Government shutdown on January 26 by passing H.R. 2880 on a bipartisan vote of 82–8. At the time we faced a midnight deadline for passing legislation to avoid yet another Government shutdown. Because no one in this Chamber wanted another shutdown to occur, we passed this measure in the exact form it came to us from the House without amending or striking any provisions which we considered to be objectionable. We had no choice in the matter. It was a frustrating and vexing experience for many of us.

I was and continue to be deeply troubled by a provision of H.R. 2880 that prohibits funding for international family planning assistance programs until July 1 unless a foreign aid reauthorization bill is enacted prior to that date. After July 1, funds will be provided at only 65 percent of the fiscal year 1995 level, with a requirement they be spent in equal amounts over the following 15 months.

I believe that policy to be very shortsighted. It is preventing the U.S. Agency for International Development [AID] from increasing access to family planning services for millions of citizens in the developing countries around the world. The ultimate result will be more unwanted pregnancy and even higher population growth in the poorest, most heavily populated nations of the globe.

Ironically, this policy, if it is not corrected, will also inevitably lead to more abortions, many of which will be performed under unsafe conditions that will surely result in infection, infertility, and death. This outcome deeply concerns me.

The people who so often resist these programs are talking continually about abortion, unwanted pregnancy, population and so on. I strongly urge all of my colleagues, whether they be pro-choice, pro-life, Democrat, Republican, conservative, liberal, moderate, to consider the tragic consequences of what we have done. Restricting access to family planning services—I did not say "abortion," and it is not there, either—restricting access to family planning services will assuredly result in more abortion. If anyone can refute this I welcome them to do so and come forward.

The harsh reality is that this misguided policy is contributing to a scenario where abortions are or will be the only form of birth control in some of the most impoverished places on Earth. This outcome sharply collides with the stated views of the very people who support it. Of all the issues the religious groups may consider when they compile their scorecards—I know where my scorecard is because I happen to be pro-choice, and I have always been pro-choice; always. In fact, I do not even think men should vote on the issue. So mine is rather clear and has been. So when they are compiling their scorecards on the performance of Members of Congress, I think this is surely one of the most important because it might be that they would show that these people somehow were in favor of abortion because of the misguided way they try to distort the issue.

The abortion issue alone offers a compelling reason for the Congress to reconsider the current restrictions on international family planning funding.

But we should also contemplate the consequences of unrestrained worldwide population growth. One study by the United Nations Population Division has estimated that if the world population trends of 1990 continue indefinitely into the future, worldwide population will increase to 694 billion by the year 2150. This is the equivalent of 12,100 people for every square mile of land on the Earth's surface. The possibility of this occurring is self-evident. The real issue is whether we will take thoughtful, rational steps to prevent this scenario or will we do nothing and simply allow nature to prevent this outcome in its own less civilized way?

Since the beginning of mankind to the year 1940 was a segment of population growth, and since 1940 to this day it has doubled. The population of Earth has doubled since 1940. It is now 5.5 billion, and this study shows in the year 2150 it will increase to 694 billion. And where is the most rapid population growth occurring? Desperately poor countries that have to cope with poverty and malnutrition and ill health and lack of education and environmental damage and famine.

These countries simply do not have the resources to effectively solve all of these problems on their own, or maybe any of them, any more than they are able to stabilize their population growth. It continues to compound and exacerbate so many of the other difficulties. Fertility rates, lack of education for women, these things lead to grievous problems.

I am not suggesting the United States bear the sole responsibility for addressing this problem. Nor is the rest of the world suggesting this. In September 1994, I and Senator JOHN KERRY attended the International Conference on Population and Development in Cairo. Mr. President, 179 nations participated in that conference, and the final "programme of action," which was adopted by acclamation, estimated that the nations of the world would have to spend $17 billion annually by the year 2000 in order to meet the needs of developing countries for basic reproductive health services, including family planning and the prevention of sexually transmitted diseases.

This "programme of action" estimated that up to two-thirds of these costs would be met by developing countries themselves—two-thirds; self-determination—with the other one-third coming from "external sources." To put that in perspective, consider the United States Government's expenditures on international family planning in fiscal year 1995 represented less than 10 percent of what is needed from these external sources by the year 2000. To retreat from this modest commitment would be a grave mistake.

So, as this legislative session continues, I believe we should restore a more appropriate level of funding for international family planning programs. Senator HATFIELD has previously advised the Senate of his desire to rectify this situation, and here is a man who holds a view different than mine on abortion, but a very sensitive, sensible human being. I richly commend my friend MARK HATFIELD for his commitment to this cause, and I stand ready to assist him in any way possible. He does his tasks so very well, and we should not impede him.

It is not too late for us to reverse our course and embrace a more sane, rational and sensible policy.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, may I inquire of the chair if we are in morning business?

The PRESIDING OFFICER. The Senate is technically still on a motion to proceed with the Whitewater investigation, but we have been proceeding, in essence, as if in morning business.

Mr. EXON. I thank the Chair. I ask unanimous consent I be allowed to proceed as in morning business for a brief period of time on another matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE COMMUNICATIONS DECENCY ACT

Mr. EXON. Mr. President, I have just had one of the most remarkable and rewarding meetings of my career with a 10-year-old girl and her mother from the Washington, DC, area. I will only use her first name. She and her mother called and asked to see me today.

Lea is a sweet girl, 10 years of age, who was preparing for a computer project to earn a Girl Scout merit badge this week. In preparation for that project, Lea and her mother signed on to the Prodigy computer service and logged on to a so-called chat room for children, where kids from around the country can play checkers and do other such things that kids do with each other. It was Lea's very first time on the Internet.

Within minutes—I emphasize, Mr. President—within minutes, someone was attempting to engage young Lea, a 10-year-old, in conversations of a sexual nature. Needless to say, she was shocked and screamed. Lea and her mother were upset and very angry.

If I can be allowed a personal comment, this really brought this problem that I and others have been trying to do something about, home, because my wife and I have been blessed with two 10-year-old granddaughters of our own. When Lea came in to see me, it was life as it exists and life as I know it.

At the time of this most unfortunate event, Prodigy did not provide the supposedly child-safe space with an alert button, which notifies the system operator that children's checkers room was being misused. A similar service was available for adults, in the adult chat room, but not for children, as strange as that might seem.

Together, the mother and the daughter contacted Prodigy and the news media. Within hours, Prodigy agreed to make the alert button available and the alarm available to those on these children's areas.

I heard this story on the news this morning, on the radio, and met with the mother and the daughter at their request this afternoon. I bring this story to the attention of the U.S. Senate because, since the passage of the Communications Decency Act as part of the Telecommunications Act of 1996, there has been a great deal of attention placed on this new law. With that attention, some have also continued their campaign of misinformation about the new law in the press and now in the courts.

Mr. President, Lea's story demonstrates and illustrates better than anything else that I know of that there are, indeed, real dangers on the Internet, especially for children and especially with the interactive computer services that are available. But more important, the very quick response from Prodigy to this problem illustrates that the new law is starting to work.

Opponents of the new law use harsh language like "censorship" to describe the Communications Decency Act that was jointly sponsored by myself and Senator COATS from Indiana and overwhelmingly passed in the U.S. Senate and in the House of Representatives and made part of the telecommunications bill. Those who cry censorship hide behind the first amendment to make defense of those who would give pornography to children and engage children in sexual conversations. What a travesty.

I hope more adults, whether they have children or grandchildren or not, will come to realize and recognize and see that the law is operational.

In respect to the first amendment, Mr. President, it is almost a sacred text with this Senator.

That is why I worked so closely—even with the new law's opponents—to assure that our legislation was constitutional. The final legislation was the product of nearly 3 years of investigation, research, negotiation, and compromise.

The Communications Decency Act makes it a crime to send indecent communications to children by means of a computer service or telecommunications device, to make indecent communications available to children on an open electronic bulletin board, to use a computer to make the equivalent of an obscene phone call to another computer user, and to use a computer or facility of interstate commerce to lure a child into illegal sexual activities.

The law makes computer services responsible for what is on their system. To comply with the new law, a computer service must take reasonable, effective and appropriate measures to restrict child access to indecent communications.

While it is fair to wonder why the alert button service has not been made available earlier, Prodigy is to be recognized for their quick response when this problem was brought to their attention. This is the type of response, that the Communications Decency Act sought to encourage and help prevent in the first place.

What the ACLU and their fellow travelers and the computer service companies have difficulty dealing with is that it is wrong—desperately wrong—for an adult to electronically molest or corrupt a child.

And thinking people en masse want to do something about it.

The Communications Decency Act is not a cure-all. But, at a minimum, children and families deserve to have a law on their side notwithstanding the protests from the profiteers of child pornography that are rampant on the Internet today.

The heart and soul of the new law is its protections for children. It is not censorship. It is not prudishness. The new law does not prohibit consenting adults from engaging in constitutionally protected speech.

Published reports indicate that Penthouse and Hustler have removed indecent material from their publicly available bulletinboards in response to the new law and their material are now only available only to adults through credit card access.

That is another step in the right direction.

I count this action as a success for the new law. In these two cases, free samples of pornography are no longer given to children. We are making progress.

If the Internet and other computer services are to be a place of commerce, community, and communication, then it must be a place which is friendly to families. Indeed, the technology necessary to comply with the Communications Decency Act is the same technology which can tell a computer service whether a user is old enough to enter into a binding contract or not.

Before the passage of the Communications Decency Act, the Internet had been described as the Wild West. At last, there is now some degree of law and order. In effect, the new law is a zoning measure. Adults are free to engage in otherwise legal indecent activities and communications, just not with, or in the knowing presence, of children.

Mr. President, later this month, a three-judge panel will hear arguments on the constitutionality of the Communications Decency Act. An initial review by a Federal judge in Philadelphia protected the heart and soul of the new law from a temporary restraining order as had been requested by the ACLU. Only a small portion of the act was enjoined pending further court review. Ultimately, as we all know, Mr. President, this matter will come before a majority of the Supreme Court. And I hope that they will find—and believe that they will—the Communications Decency Act fully constitutional.

Although the U.S. Department of Justice has agreed not to file cases under the new law until the three-judge panel has an opportunity to review the statute, the action by Prodigy, and others indicates that the Communications Decency Act can and is working.

I thank all of my colleagues in the Senate and all of my colleagues in the House who have been up front in the support of this measure.

I now thank President Clinton and his Justice Department for entering into the fray on the side of the kids to begin to make further advances in correcting this terrible wrong.

I thank the Chair. I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I thank the Chair.

Mr. President, let me commend my colleague from Nebraska for his diligence in bringing to our attention a very, very important matter that affects the youth of our Nation. I commend him.

Mr. EXON. I thank my friend and colleague from Alaska, very much.

REGULATORY ENFORCEMENT FAIRNESS ACT

Mr. MURKOWSKI. Mr. President, an extraordinary thing happened today in the forum in the sense of the effort to try to bring the Small Business Regulatory Enforcement Fairness Act before this body as Senate bill 942.

The fact is that here we are 6 o'clock, Thursday, and the information of the Senator from Alaska is that the Democratic minority has refused to allow this vital piece of legislation to come before this body for a vote. The realization, as evidenced by my good friend, Senator BUMPERS from Arkansas, is that, if it came up, it would pass 100 to nothing.

We are talking about trying to assist the small business community relative to employment, encourage those that are willing to take a risk in the highest area of fallout of any activity, and that is the small business community. We are talking about trying to get some regulatory reform that will assist them.

This has been a top priority of this Congress. It has been a top priority of the Senate. We cannot even get it up for a vote.

What are we trying to do with this? Some people would say we are trying to unwind the environmental laws, or the labor oversight responsibilities that we have. What we are trying to do is bring some logic into the equation, some cost-benefit, and risk analysis. What does it mean?

Mr. President, I live in Alaska. It snows in Alaska. When the snow comes down, either leave it or move it. In the case of the city of Fairbanks, where I live, the snow falls on the area where they park the buses. So what do they do? They move the snow back to the back lot. But that is classified as a wetlands. You cannot put snow in a wetland.

Is that a rational reality? You cannot dump the excess snow in the river. Why cannot you dump it in the river? Because it may have picked up something along the way that somehow would be inappropriate to dump in the river. But when it snows in Washington, DC, where do you dump the snow? You dump it wherever. Nobody gets too excited because snow here is a calamity. The city is tied up. It cannot move. You dump it in the Potomac River.

Anchorage, AK, the State's largest city, probably has the cleanest water in the world. When it rains it drops down in the street, and goes down the gutter. The gutters go out into Cook Inlet. There is a 30-foot tide twice a day. The water goes out. This is not sewage. This is water that goes into your drain from the rain. It goes out.

They did not have any problem until the Environmental Protection Agency came down with a mandate that said you have to remove 30 percent of the organic matter from the water before you can dump it without treatment. And the EPA said to the city of Anchorage, you are in violation of the law.

Well, the assembly met. Somebody came up with the idea. "Let us put a few fish guts in the drains so we would have something to recover and remove the organic matter and, therefore, comply."

When they appealed to the highest level of the Environmental Protection Agency, they said we are not going to make exceptions. This is uniform throughout the United States.

What we are trying to do here, Mr. President, is get some balance, some logic into a situation that has run amok with bureaucracy and the inability of our administrators to address clear decisions that should be made relative to the areas of responsibility the administrators have. You cannot mandate uniformity on things like this. You have to bring in common sense. You bring in the analysis of cost-benefit. You bring in what the risk to the public is. You give the administrators the authority, and you hold them accountable.

Many Senators on both sides of the aisle today have worked hard to try to pass regulatory reform legislation. My good friend from Louisiana, Senator JOHNSTON, has labored in the vineyards for an extraordinary amount of time. But for reasons unknown, today the other side of the aisle said, we are not going to bring it up; we are going to object. I do not know whether this is connected with an election year. We have a lot of political issues around here.

Everybody is committed to assisting small business by reducing redundant regulatory oversight, and here is a chance to do it. Politics is not an overarching excuse, in my opinion, and getting the American public energized so that we can address the relief needed from some of the ill-founded, erroneous, duplicative regulations is a bipartisan responsibility. We seem to agree on it, but we cannot move. We are stuck. No explanation.

Today a constituent of mine came in. He brought me a chart. He is in the business of transporting oil. He has to have five permits. He has to have a Coast Guard operating regulation permit. He has to have a Coast Guard OPA 90 regulatory permit. He has to have an Environmental Protection Agency OPA 90 regulatory permit. He has to have an Environmental Protection Agency spill prevention regulatory permit, and he has to have a State permit, plus the local permits.

You have created a whole new industry out there of consultants that are hired to do these permits, do this evaluation, at a great cost to the public. And the justification for this really is questionable, given the lack of cost-benefit and risk analysis that should be associated with the process and unfortunately is not.

If you want to go into the logging business in my State, at the last count you have to get some 41 permits. You have to have a radio operator's license to run your camp. You have to have a Corps of Engineers permit to run your camp, and on and on and on and on.

There can be no argument that reforming the way we do regulatory business in this country is of paramount importance. We cannot seem to get that reform.

We are not ready to give up by any means. We are going to keep going at it. But in the meantime, there is no reason why we should not move with this particular bill, the small business relief that Senator BOND and Senator BUMPERS have developed in the Small Business Regulatory Enforcement Fairness Act. I commend them for their efforts. There is a consensus on the need for the bill. There is a consensus on the content of the bill. There is a consensus on the relief that this bill would provide to the small business community—stimulate employment, stimulate investment, stimulate inventory buildup—and yet we cannot get the consensus we need to bring it up in the Chamber.

The question the Senator from Alaska has to ask the Chair is, why? There are so many positive benefits to this legislation—teeth for the 16-year-old Regulatory Flexibility Act to allow judicial review of adverse impacts regulations have on small businesses. It includes penalty waivers and reductions for small business violations that are of little if any significance, recovery of attorney's fees when small business is forced into defensive litigation due to enforcement excesses, and, finally, small business participation in rulemaking.

We cannot keep missing the opportunity to pass positive, helpful legislation for important segments of America's small business industry. We should not miss the opportunity to pass this bill. Obviously, the weekend is going to go by. We are going to take this up again next week. But I would encourage my colleagues to allow this bipartisan bill to come before the floor to get it passed. We owe that much to the American people.

I think we ought to be asking our friends on the other side of the aisle why they see fit to hold up this important legislation. I encourage America's small business community to demand an answer, because we are ready to go with it on our side, and I think those people out there who are frustrated are waiting and certainly deserve an answer.

Mr. President, that concludes my statement. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GRAMS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WHITEWATER DEVELOPMENT CORPORATION AND RELATED MATTERS—MOTION TO PROCEED

CLOTURE MOTION

Mr. LOTT. Mr. President, I now move to proceed to Senate Resolution 227, the Whitewater legislation, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. Res. 227, regarding the Whitewater extension:

ALFONSE D'AMATO, TRENT LOTT, JESSE HELMS, PHIL GRAMM, JUDD GREGG, DIRK KEMPTHORNE, STROM THURMOND, JIM JEFFORDS, OLYMPIA SNOWE, BOB SMITH, DAN COATS, LARRY E. CRAIG, JOHN ASHCROFT, THAD COCHRAN, JON KYL, ROBERT F. BENNETT.

Mr. LOTT. Mr. President, I ask unanimous consent that the cloture vote occur immediately following the 2:15 p.m., vote on Tuesday, March 12, and that the live quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1996—CONFERENCE REPORT

Mr. LOTT. Mr. President, I now ask that the Senate turn to the conference report for the D.C. appropriations bill.

The PRESIDING OFFICER. The clerk will report the conference report.

The legislative clerk read as follows:

Conference report to accompany H.R. 2546, a bill making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996, and for other purposes.

The Senate resumed the consideration of the conference report.

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 2546, the D.C. Appropriations bill.

BOB DOLE, TRENT LOTT, JESSE HELMS, PHIL GRAMM, JUDD GREGG, DIRK KEMPTHORNE, STROM THURMOND, OLYMPIA SNOWE, BOB SMITH, DAN COATS, LARRY E. CRAIG, JOHN ASHCROFT, THAD COCHRAN, JON KYL, MARK HATFIELD, ROBERT F. BENNETT.

Mr. LOTT. Mr. President, I ask unanimous consent that the cloture vote occur at 2:15 p.m., on Tuesday, March 12, and the live quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORT ON THE U.S. NATIONAL SECURITY STRATEGY—MESSAGE FROM THE PRESIDENT—PM 128

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services.

To the Congress of the United States:

As required by section 603 of the Goldwater-Nichols Department of Defense Reorganization Act of 1986, I am transmitting a report on the National Security Strategy of the United States.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 7, 1996.*

MESSAGES FROM THE HOUSE

At 11:19 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker appoints the following Members on the part of the House to the Advisory Commission on Intergovernmental Relations: Mr. SHAYS of Connecticut and Mr. PORTMAN of Ohio.

At 12:22 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3021. An act to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1934. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the report entitled "The National Study of Water Management During Drought"; to the Committee on Environment and Public Works.

EC–1935. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report under the Architectural Barriers Act for fiscal year 1995; to the Committee on Environment and Public Works.

EC–1936. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the report on abnormal occurrences for the period July 1 through September 30, 1995; to the Committee on Environment and Public Works.

EC–1937. A communication from the Chairman of the Advisory Committee on Reactor Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report on the Safety Research Program; to the Committee on Environment and Public Works.

EC–1938. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on a demonstration project; to the Committee on Environment and Public Works.

EC–1939. A communication from the Chairman of the Migratory Bird Conservation Commission, transmitting, pursuant to law, the annual report for fiscal year 1995; to the Committee on Environment and Public Works.

EC–1940. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report of the 20-year Tanker Size/Capacity Trend Analysis study; to the Committee on Environment and Public Works.

EC–1941. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the final report on the Information, Counseling and Assistance [ICA] Grants Program; to the Committee on Finance.

EC–1942. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report on the Drug Utilization Review [DUR] Demonstration projects for 1995; to the Committee on Finance.

EC–1943. A communication from the Fiscal Assistant Secretary of the Treasury, transmitting, pursuant to law, the report of the December 1995 issue of the Treasury Bulletin; to the Committee on Finance.

EC–1944. A communication from the Director of the Trade and Development Agency, transmitting, pursuant to law, the 1995 annual report; to the Committee on Finance.

EC–1945. A communication from the Chairman of the Prospective Payment Assessment Commission, transmitting, pursuant to law, a report on health care spending; to the Committee on Finance.

EC–1946. A communication from the Chairman of the International Trade Commission, transmitting, pursuant to law, the report on trade between the United States and China for the period July 1 through September 30, 1995; to the Committee on Finance.

EC–1947. A communication from the Administrator of the U.S. Agency For International Development, transmitting, pursuant to law, the report under the Federal Managers' Financial Integrity Act for fiscal year 1995; to the Committee on Foreign Relations.

EC–1948. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of a Presidential Determination relative to Serbia and Montenegro; to the Committee on Foreign Relations.

EC–1949. A communication from the President and Chief Executive Officer of the Overseas Private Investment Corporation, transmitting, pursuant to law, the annual report for calendar year 1995; to the Committee on Foreign Relations.

EC–1950. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–1951. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MURKOWSKI (for himself and Mr. JOHNSTON): S. 1596. A bill to direct a property conveyance in the State of California; to the Committee on Energy and Natural Resources.

By Mr. DORGAN:

S. 1597. A bill to amend the Internal Revenue Code of 1986 to discourage American businesses from moving jobs overseas and to encourage the creation of new jobs in the United States, and for other purposes; to the Committee on Finance.

By Mr. GLENN:

S. 1598. A bill to provide that professional sports teams relocating to different communities shall lose trademark protection with respect to team names, and for other purposes; to the Committee on the Judiciary.

By Mr. BREAUX:

S. 1599. A bill for the relief of Tarek Elagamy; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mr. MACK):

S. 1600. A bill to establish limitations on health plans with respect to genetic information, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. LEVIN (for himself, Mr. GLENN, Mr. DEWINE, and Mr. KOHL):

S. 1601. A bill to amend the Federal Water Pollution Control Act to extend the deadline for and clarify the contents of the Great Lakes health research report, and for other purposes; to the Committee on Environment and Public Works.

STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI (for himself and Mr. JOHNSTON):

S. 1596, A bill to direct a property conveyance in the State of California; to the Committee on Energy and Natural Resources.

THE WARD VALLEY LAND TRANSFER ACT

Mr. MURKOWSKI. Mr. President, today I am introducing legislation with my colleague, Senator JOHNSTON, directing a land conveyance for the purpose of siting a low level radioactive waste facility at Ward Valley, CA. This measure is virtually identical to language the Senate previously agreed to in the reconciliation bill conference report, with the exception that we have added an additional condition that California must provide its written commitment to carry out environmental monitoring and protection measures based on recommendations of the National Academy of Sciences, subject to Federal oversight by the Nuclear Regulatory Commission.

Mr. President, the Congress—in 1980 and again in 1985—gave States the responsibility for low level radioactive waste disposal. After an 8 year licensing process costing more than $45 million, the State of California awarded a license for a waste disposal site at Ward Valley, in the Mojave Desert. California is the host State for the Southwestern low level radioactive waste compact which includes the States of Arizona, North Dakota, South Dakota, and California.

The Ward Valley site has withstood the scrutiny of two environmental impact statements, two biological opinions under the Endangered Species Act, and a variety of court challenges. Ward Valley was given a clean bill of health by the National Academy of Sciences in a special report issued in May 1995. No low level radioactive site has received greater scrutiny than this one. It's a safe site, and anyone who reviews the facts with the tools of science rather than the rhetoric of emotion comes to that conclusion.

With the license issued, the court challenges exhausted, and the science settled, all that remains is a simple,

administrative land sale from the Bureau of Land Management to the State of California. This is the kind of routine conveyance that would normally be handled at a BLM field office. But the Secretary of the Interior has intervened, and effectively kept the land sale from proceeding for more than 2 years by ordering a supplemental EIS, and later, a review by the National Academy of Sciences. Both the supplemental EIS and the Academy review turned out to be highly favorable to the Ward Valley site, and at the conclusion of each we have hoped that any remaining excuse for further delay would evaporate. Unfortunately, Ward Valley opponents hope to delay this forever, suggesting at each juncture a new study, a new hurdle, a new obstacle.

The latest hurdle was erected on February 15, when Interior Deputy Secretary John Garamendi announced yet another round of follow up studies to include tritium tests. California is not opposed to tritium tests, and the State is willing to conduct them. The problem, Mr. President, is that Interior wants the tests concluded prior to the land transfer. The National Academy of Sciences did not say this was necessary or desirable. In fact, the Academy suggests ongoing testing should be undertaken in conjunction with the operation of the facility. The Interior Department's actions, in my opinion, are merely a tactic to delay the commencement of operations at Ward Valley until after the next election.

If we do nothing, Mr. President, and allow this land conveyance to be delayed, I can guarantee that there will be some new obstacle erected after the tritium tests are complete. As the National Academy of Sciences pointed out, tritium tests are difficult and often inconclusive. That's why they should not be rushed, they should not precede the conveyance, they should continue along with all of the other monitoring and protection measures that will be undertaken during the site's operation. If we proceed with rushed tritium testing, we will likely end up with an inclusive result, providing project opponents with yet another excuse for delay. At the very least, the project opponents will ask for another supplemental EIS to consider any new information. A new basis for further litigation or new strategies for delay would be fabricated. The delays would just go on and on.

What we have, Mr. President, is a Department of the Interior—lacking expertise or responsibility in matters relate to the regulation of radioactive materials—that aspires to get into the business of nuclear regulation. Even worse, the Secretary of the Interior is acting to usurp the statutory authority of the State of California to protect the radiological health and safety of its citizens through the State management and oversight of low-level radioactive waste disposal.

Some of my colleagues may recall that we made low-level radioactive waste management a State responsibility in the 1980 and 1985 act in response to heavy lobbying by the National Governors' Association. At the time, Arizona Gov. Bruce Babbitt and Arkansas Gov. Bill Clinton were prominent leaders in the National Governors' Association. Governor Babbitt even served on a special NGA task force recommending that low level radioactive waste management become a State responsibility. Today, Interior Secretary Babbitt is working to usurp and erode the very State authority he lobbied Congress for as Governor. I find that most ironic.

The irony is not lost on the Governor of California. He has asked us for this legislation. He is concerned about the health, safety, and welfare of Californians. He is aware that low-level radioactive waste is being stored in hospitals, in residential neighborhoods, in businesses, and in universities at 2,254 sites in 800 locations across California, and that the waste in these temporary sites are subject to fires, floods, and earthquakes.

If you oppose this bill, then you are by necessity arguing for the continued storage of these materials all over California, or the transport of these materials across the United States to the only facility currently open to California—Barnwell, SC. Meanwhile, some hospitals in California are running out of room. Will this result in the curtailment of cancer treatment or AIDS research that uses radioactive materials? Will this result in an accidental release at one of these dispersed locations as a consequence of a fire, flood or earthquake? We can only hope and pray that it will not.

To summarize, Mr. President: This is a simple directed land sale that does what the administration should have done long ago. If we fail to do this, we not only create problems for California and Arizona, North Dakota, South Dakota as Southwestern Interstate Compact States, we challenge the viability of the Low Level Radioactive Waste Policy Act and the policy of State responsibility upon which it is based.

A June 16 editorial in Science magazine perhaps says it best: "The risks stemming from one carefully monitored Ward Valley LLRW site are trivial in comparison with those from 800 urban accumulations. Enough of groundless fears and litigation."

Mr. President, we have, indeed, had enough of groundless fears and litigation. The time has come to act.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1596

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION. 1. SHORT TITLE.

This Act may be cited as the "Ward Valley Land Transfer Act".

SEC. 2. CONVEYANCE OF PROPERTY.

Effective upon the tendering to the Secretary of the Treasury of $500,100 on behalf of the State of California and the tendering to the Chairman of the Nuclear Regulatory Commission of a written commitment by the State to carry out environmental monitoring and protection measures based on recommendations of the National Academy of Sciences subject to federal oversight by the Nuclear Regulatory Commission pursuant to 42 U.S.C. 2021, as amended, all right, title and interest of the United States in the property depicted on a map designated USGS 7.5 minute quadrangle, west of Flattop Mtn, CA 1984 entitled "Location Map for Ward Valley Site", located in San Bernardino Meridian, Township 9 North, Range 19 East, and improvements thereon, together with all necessary easements for utilities and ingress and egress to such property, including, but not limited to, the right to improve those easements, are conveyed by operation of law to the Department of Health Services of the State of California. Upon the request of the State of California, the Secretary of the Interior shall provide evidence of title transfer.

By Mr. DORGAN:

S. 1597. A bill to amend the Internal Revenue Code of 1986 to discourage American businesses from moving jobs overseas and to encourage the creation of new jobs in the United States, and for other purposes; to the Committee on Finance.

THE AMERICAN JOBS ACT OF 1996

Mr. DORGAN. Mr. President, today I intend to introduce legislation called the American Jobs Act, and I simply wanted to come to the floor and describe it. I also intend in the coming weeks to try to convince as many Members of the Senate as possible to cosponsor this, because I think it does relate to a lot of the issues that the American people are very concerned about.

I spoke yesterday on the floor of the Senate about the issue of trade and jobs and the economy. I know some people get tired of hearing that. It is probably the same song with 10 different verses that I come and talk about from time to time.

But I think it is central to the question of where are we headed as a country? Who are we and where are we going? We are a country that is a wonderful country with enormous challenges ahead of us, but a country still filled with substantial strength and opportunity in the future.

I mentioned yesterday how interesting it is to me that at a time when people talk about how awful this country is, we have people suggesting we ought to put fences down across the border down south to keep people out. Why would we want to keep people from

coming to this country? We have an immigration problem. Why do people want to come here? Because they think this is a remarkable place. Most people around the world think this is a wonderful place to live and a wonderful place to be.

What is happening in our country? Well, we are a country that survived the Civil War and came out as one country. We survived the depression and went on to build the strongest economy in the world. We defeated Hitler, cured polio, and we put a person on the Moon. When you think of all the wonderful things we have done in this country and then understand there is a kind of mood in America that is a mood of dissatisfaction and concern, not about what is past because all of us understand that what we have done has been quite remarkable in the history of humankind, but the concern is about the future. Where are we headed? Where are we going? What kind of a country will we be in the future?

There are several levels of that concern. One is about the declining standards and values in our country that people see. One is about crime and the increase in violence in our country and the concern about why that exists. But the other is about the issue of jobs. Will we have good jobs in our country? Under what circumstance will we have good jobs? There is not a social program in America—none that we talk about in the Senate or the House ever during the year—that is as important or as useful as a good job to an able-bodied person that wants to have a good job.

A good job is the best social program in our country—a good job with good income. My ancestors came here from other countries because they saw that beacon of hope and opportunity in our country. They wanted to take advantage of it. They wanted a good job. They got good jobs and were able to give their children an education. That is what people in America want today. They are concerned because so many jobs in America seem to be moving elsewhere, and because the jobs that exist here seem to pay less money than they used to and have less security than they used to have.

We do not have wages spiking up in America, except for the wages of CEO's. Yesterday there was a report in the newspaper in town that says the average CEO salary of the large corporations of the country was up 23 percent in 1 year—an average $4 million salary. But that is unusual because blue-collar workers are not keeping pace with inflation. In fact, 60 percent of the American families sit around the dinner table and talk about their lot in life, and they discover that after 20 years they are working harder and they have less income. If you adjust it for inflation, they have less income now than 20 years ago.

Why is that the case? Why is it the case that we have jobs with lower income, with less security, and jobs that are moving from our country overseas?

The chart behind me shows America's trade deficit. I am not going to speak about that today. That is for another time. I have already given that speech, in any event. But the trade deficit. The merchandise trade deficit last year was over $170 billion. What does that mean? It means we are buying more from other countries than they are buying from us. And we have a very substantial deficit. What it means is jobs that used to be here now are somewhere else. It means jobs are moving from America, from our country, to other countries. In fact, this chart shows foreign imports now take over one-half of U.S. manufacturing gross domestic product.

Said another way, if you evaluate what it is we produce, manufacture in our country, and measure that to what we import from other countries, foreign imports now take one-half of U.S. manufacturing GDP. A fair portion of these foreign imports are goods made by American corporations in foreign countries to be shipped back for purchase by American consumers. Or said another way, there are American jobs that are now gone overseas somewhere, making the same products to ship back to Pittsburgh, Denver, Fargo, and Sacramento, to be bought by American consumers. They think it is a good deal. If you can get somebody working for 14 cents an hour in some foreign land to make your shoes, shirts, or pants, think of how cheap that is going to be for American consumers—not understanding, of course, that the jobs that used to exist here to produce those products for our people are now gone.

This chart depicts jobs that used to be in America. To pick a few countries, U.S. jobs now in foreign affiliates of U.S. firms were nearly 70,000 in 1992; 53,000 in Hong Kong; 14,000 in Costa Rica; 40,000 in Ireland, and it goes on and on.

I pointed out yesterday that there are a lot of reasons for all of this, like global economics, in which corporations are redefining the economic model and saying, "We want to produce where it is cheap and sell into an established market." That might be fine for them because, for them, that is profits. For the rest of the American people it is translated into lost jobs.

The initiative I am offering in the Senate today has two purposes, one of which I have already introduced in a separate smaller piece of legislation. The first provision is to say let us start by stopping the bleeding. Let us decide we will not reward a tax break to companies which decide to shut their American plants down and move their U.S. jobs overseas. How do we do that? Here is an example: If we have two companies on the same street making the same product, owned by two Americans, in any American city in the country, and they are the same kind of company, make the same product, they may have the same profitability; the only difference is that one of them, on a Monday, decides, I am out of here, I am done, I am tired of having to pay a living wage to an American worker. I am tired of having to comply with air and water pollution laws. I am sick and tired of not being able to hire kids. I am tired of having to comply with these regulations that require my workplace to be safe. So I am escaping. I am shutting my door, getting rid of my workers, taking my equipment and capital and moving to a foreign country where I do not have to bother about pollution laws. I can dump whatever I want into the streams and air. I can hire 14-year-olds if I choose. I do not have to care about an investment in safety in the workplace. Most importantly, I can pay 14 cents an hour, 25 cents an hour, or 50 cents an hour and increase my profitability.

When that person, on a Monday, decides he is going to do that, and his plant closes, and the other person on the other end of the block making the same product stays here, what is the difference? The person that left our country to produce the same product and ship it back into our country and compete with the person that stayed gets a tax break.

Our tax law says that if you leave this country, shut your plant down, move your jobs overseas, we will give you a deal. You get something called "deferral." You can defer your income tax obligation on the profits you earned. In fact, you can defer them permanently, if you wish, and never pay taxes on that profit. You can invest those proceeds overseas and use profits to build more plants and create more jobs overseas. We will give you a deal. The American taxpayer tells you that you can get a big fat tax break.

Well, no more. In fact, I tried to close that little thing last year, and 52 Members of the Senate cast a vote to say, "No, we want to keep that tax break." I do not have the foggiest idea why they would think that. But I am going to give them a chance to think about it at least a dozen more times this year because we are going to vote and vote and vote on this provision until we decide to do the right thing. The right thing is to have a Tax Code that is at least neutral on the question of whether you ought to have your jobs in America or overseas.

I am really flat tired of seeing a Tax Code that subsidizes the movement of American jobs abroad. Are there conditions under which people would move jobs abroad? Yes. Should we stop it? I do not think we can because we have a global economy. But should we subsidize it? No! It is totally ridiculous.

Title I of my bill says let us stop this insidious tax loophole, stop the break that says we will reward you if you simply shut down your American plant and move your jobs to Mexico, Singapore, Sri Lanka, Bangladesh, China, or you name it.

Title II is also very simple: It says for those that create net new jobs in America, for those American companies that stay in America and create net new jobs in America, you get a 20 percent payroll tax credit on your income taxes for the first 2 years of that new job. Why am I doing that? Because I want to close the loophole that allows them to move their jobs overseas and get paid for doing it, and I want to create an incentive for people to create jobs here in this country.

These people in this town who have this global notion that it does not matter where manufacturing exists, it does not matter where jobs are, are not thinking about the well-being of this country. This country does not exist by consumption figures alone. Every single month you drive to work, turn the radio on, guess what? There is some commentator telling us about our economic health. How do they describe our economic health? They say we consumed so much last month, we bought so much, sales were so high. So we measure now the economic health of America by what we consume. That is not what describes the economic health of my hometown or the economic health of my State or this country.

Economic health in this country is described by what we produce—manufacture, production. The genesis and source of wealth in this country is what does this country produce. Those who believe America will remain a long-term economic world power without a strong vibrant manufacturing economy have not studied the British disease of long, slow economic decline at the turn of the century when they decided it did not matter where manufacturing existed. This country had better start caring again about whether we have a productive sector, whether we have a strong manufacturing base, and whether we retain a broad network of good paying jobs in this country. That comes from the manufacturing sector.

We spend our time in the Congress talking about almost everything except that which matters most to American families—jobs. Jobs and opportunity. You ask most people what they care about. They care about whether or not they have a decent job and they have an opportunity to make a living and support their family. Then they care about whether their kids are going to be able to find a decent job. Yes, along the way, whether they can get a good education for their kids. Yes, whether their families are safe. Yes, whether they get decent health care. Those are the central issues for families. All of it is driven by do you have an opportunity to get a decent job.

It ought not escape anybody's notice that as those who describe our economic circumstances in our country, these economists—and I guess I should make clear with truth in labeling that I taught economics in college for a couple of years part-time; I was able to overcome that and go on and do other things in life. The economists who have described for us an economic model in which they talk about how wonderfully healthy America's economy is because it is growing and it is moving ahead. Why? Because they talk about how much we are consuming—a fair amount, incidentally with debt, debt-assisted consumption, as opposed to manufacturing assisted by good investment. That is the difference.

If we do not start moving to debate the central issue of what moves our economy ahead and what provides economic strength and vitality for American families, we are always, it seems to me, going to be on the end of a disconnection from the average American voter. They want us to be dealing with things that matter most in their lives. There is not much that is more important than the issue of will this economy of ours produce decent jobs in the future? Now, we can, as we have in the past, just hang around here and talk about all the other ancillary issues that do not matter very much, but if we do not decide that jobs matter and that our Tax Code that actually encourages people to move their jobs overseas, if we do not decide that desperately needs changes, we do not deserve to belong in this Chamber. We have to decide what the central issues for our country are.

I think everybody in this country knows that we have lost some 3 million manufacturing jobs in about a 5-to 8-year-period, at a time when we have increased by tens of millions the number of American citizens who live here. A good job base in the manufacturing sector is shrinking, our population is increasing. Opportunity is moving away. It is not too late. I think that what most of the American people would like us to do is put America's Tax Code on the side of America's workers and America's taxpayers, and not on the side of big corporations that will milk the Tax Code by moving jobs overseas instead of keeping jobs here at home.

Mr. President, I will be introducing the legislation in the Senate today. I hope that some of my colleagues will join me. Again, I indicate that I fully intend that we will have repeated votes on this kind of legislation this year because I think it is central to the issue of what we ought to be doing.

By Mr. GLENN:

S. 1598. A bill to provide that professional sports teams relocating to different communities shall lose trademark protection with respect to team names, and for other purposes; to the Committee on the Judiciary.

THE SPORTS HERITAGE ACT

Mr. GLENN. Mr. President, I rise today to introduce the Sports Heritage Act of 1996. This legislation addresses a problem faced by many communities after the loss of a professional sports team and is a companion to a bill I introduced in November, the Fans Rights Act.

Simply, the Sports Heritage Act would allow a community to keep a professional team's name and colors in the event of a relocation. The only condition is that the team must have played at least 10 years in the community. The bill also says that the elected officials of a community can waive this right.

Mr. President, relocation fever is sweeping American professional sports. At a record number, professional sports teams are abandoning—or attempting to abandon—their host communities, often with little regard for the historical legacy of the team in its home city.

The Sports Heritage Act gives communities some protection over that historical tradition. For example, the proposed team relocation which has truly shocked sports fans across the country is the Cleveland Browns' decision to move to Baltimore.

Mr. President, I am not going to get into the specifics of that move or why it has shocked sports fans. But let me tell you a bit about the tradition of the Browns in Cleveland.

The Cleveland Browns have been a symbol of undying and unwavering fan support for half-a-century. During the football season, Lakefront Municipal Stadium is packed to the rafters with Browns' fans rooting on their team. There have been glorious Browns' seasons and their have been not-so-glorious seasons. But one constant has been the fan support. And that support has been passed on from generation to generation.

I am pleased that the deal between the city and the NFL will maintain the Browns' name and colors in Cleveland for a future team. Let's be honest, did anyone really think Baltimore Browns sounded right? Not only doesn't it sound right, it flies in the face of sports history in Cleveland, in Ohio, and the rest of America. The name Browns belongs to the rich sports tradition of northern Ohio and its right that the name and colors will stay.

Another example is the Oakland Raiders. How many of us spent the last decade referring to the team as the Oakland Raiders instead of the Los Angeles Raiders? Or could you imagine other situations, such as the Orlando Yankees or the New Orleans Cubs? I'm not suggesting these two storied franchises are going to move, but I use the examples to stress how a team name

can be woven into the fabric of a community's traditions.

The Sports Heritage Act would permit communities that have long-standing ties to a sports franchise, 10 or more years, to retain the team name for any future franchises. I think that's only fair.

The current relocation fever in professional sports has brought about a great deal of attention in Congress. Fans and communities need more protection and I believe the Fans Rights Act will accomplish that. The Sports Heritage Act will help strengthen that protection and I urge all Senators to support this bill.

By Mrs. FEINSTEIN (for herself and Mr. MACK):

S. 1600. A bill to establish limitations on health plans with respect to genetic information, and for other purposes; to the Committee on Labor and Human Resources.

THE GENETIC FAIRNESS ACT OF 1996

• Mrs. FEINSTEIN. Madam President, today, Senator MACK and I are introducing a bill to do two things. It would—

First, prohibit health insurers from conditioning the sale or terms of health insurance on genetic information of the insured or applicant for insurances; and

Second, prohibit health insurers from requiring an applicant for insurance or an individual or family member presently covered to take a genetic test or to be subjected to questions relating to genetic history.

Under this bill, an insurer could not engage in the following actions on the basis of any genetic information of an individual or family member or on the basis of an individual's or family member's request for or receipt of genetic services:

Terminate, restrict, limit, or otherwise apply conditions to coverage of an individual or family member;

Cancel or refuse to renew the coverage of an individual or family member;

Deny coverage or exclude an individual or family member from coverage;

Impose a rider that excludes coverage for certain benefits and services under the plan;

Establish differentials in premium rates or cost sharing for coverage under the plan; or otherwise discriminate against an individual or family member in the provision of health care.

Last fall, as cochairs of the Senate Cancer Coalition, Senator MACK and I held a hearing on the status and use of genetic tests. Witnesses testified about the great promise of genetic testing in predicting and managing a range of diseases. A considerable portion of illness derives from defects in one or more genes or the interplay of environmental and genetic factors.

For example, approximately 3 percent of all children are born with a severe condition that is primarily genetic in origin. By age 24, genetic disease strikes 5 percent of Americans. Genetic disorders account for one-fifth of adult hospital occupancy, two-thirds of childhood hospital occupancy, one-third of pregnancy loss, and one-third of mental retardation.

About 15 million people are affected by one or more of the over 4,000 currently identified genetic disorders. An even larger number are carriers of genetic disease. J. Rennie in the June 1994 Scientific American estimated that every person has between 5 and 10 defective genes though they often are not manifested. Indeed, we are all carrying around between 50,000 and 100,000 genes scattered on 23 pairs of chromosomes.

In the past 5 years, there has been a virtual explosion of knowledge about genes. Scientists, including those at the Federal Human Genome Project, are decoding the basic units of heredity. We know that certain diseases have genetic links, including cancer, Alzheimer's disease, Huntington's disease, cystic fibrosis, neurofibromatosis, and Lou Gehrig's disease. Altered genes play a part in heart disease, diabetes, and many other more common disease.

While these important understandings hold great potential, they also present some serious problems. Witness after witness at our hearing discussed the potential and the reality of health insurance discrimination. They told us about insurers denying coverage, refusing to renew coverage, or denying coverage of a particular condition.

In a 1992 study, the Office of Technology Assessment found that 17 of 29 insurers would not sell insurance to individuals when presymptomatic testing revealed the likelihood of a serious, chronic future disease. Fifteen of 37 commercial insurers that cover groups said they would decline the applicant. Underwriters at 11 of 25 Blue Cross-Blue Shield plans said they would turn down an applicant if presymptomatic testing revealed the likelihood of disease. The study also found that insurers price plans higher—or even out of reach—based on genetic information. Another study conducted by Dr. Paul Billings at the California Pacific Medical Center, reached similar conclusions.

Here are a few examples, real-life cases:

An individual with hereditary hemochromatosis (excessive iron), who runs 10K races regularly, but who had no symptoms of the disease, could not get insurance because of the disease.

An 8-year-old girl was diagnosed at 14 days of age with PKU (phenylketonuria), a rare inherited disease, which if left untreated, leads to retardation. Most States require testing for this disease at birth. Her growth and development proceeded normally and she was healthy. She was insured on her father's employment-based policy, but when he changed jobs, the insurer at the new job told him that his daughter was considered to be a high risk patient and uninsurable.

The mother of an elementary school student had her son tested for a learning disability. The tests revealed that the son had fragile X syndrome, an inherited form of mental retardation. Her insurer dropped her son's coverage. After searching unsuccessfully for a company that would be willing to insure her son, the mother quit her job so she could impoverish herself and become eligible for Medicaid as insurance for her son.

Another man worked as a financial officer for a large national company. His son had a genetic condition which left him severely disabled. The father was tested and found to be an asymptomatic carrier of the gene which caused his son's illness. His wife and other sons were healthy. His insurer initially disputed claims filed for the son's care, then paid them, but then refused to renew the employer's group coverage. The company then offered two plans. All employees except this father were offered a choice of the two. He was allowed only the managed care plan.

A woman was denied health insurance because her nephew had been diagnosed as having cystic fibrosis and she inquired whether she should be tested to see if she was a carrier. After she was found to carry the gene that causes the disease, the insurer told her that neither she nor any children she might have would be covered unless her husband was determined not to carry the CF gene. She went for several months without health insurance because she sought genetic information about herself.

These practices deny people health insurance. In the United States, 40 million people or 15 percent have no health insurance. In California, it is 23 percent, translating to between 6 and 7 million people. If people with genetic conditions or predispositions cannot buy health insurance on the private market, they usually have nowhere to turn. To qualify for Medicaid, the primary public health insurance program for the nonelderly, families have to spend down or impoverish themselves. Having more uninsured people means that we all pay more, both for the public programs and for uninsured people arriving in hospital emergency rooms at the last minute with exacerbated conditions.

Not only do these denials deprive Americans of health insurance, the fear of discrimination can have adverse health effects. For example, if people fear retaliation by their insurer, they may be less likely to provide their physician with full information. They may be reluctant to be tested. This reluctance means that physicians might not

have all the information they need to make a solid diagnosis or decide a course of treatment.

I hope Congress will begin to address this unfair insurance practice. After all, we are all just a bundle of genes. We are all at risk of disease and illness. This bill can help make health insurance available to many who need it and who want to buy it. I hope my colleagues will join me today in enacting this bill.•

By Mr. LEVIN (for himself, Mr. GLENN, Mr. DEWINE and Mr. KOHL):

S. 1601. A bill to amend the Federal Water Pollution Control Act to extend the deadline for and clarify the contents of the Great Lakes health research report, and for other purposes; to the Committee on Environment and Public Works.

THE AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY REAUTHORIZATION ACT OF 1996

Mr. LEVIN. Mr. President, today I am introducing a bill with Senators GLENN, DEWINE, and KOHL, to reauthorize and extend an ongoing research effort examining human health effects of consuming Great Lakes fish that have been exposed to pollutants. Extensive, careful research is critical to sensible and cost-effective decisions on the steps needed to protect the Great Lakes environment.

This research effort was originally authorized in the Great Lakes Critical Programs Act of 1990, which I authored. The effort is being led by the Agency for Toxic Substances and Disease Registry and is intended to help provide information on the human and ecological health effects of environmental contamination, particularly in the Great Lakes.

Studies have indicated that humans are the final biological receptors for many toxic substances. One of the most obvious pathways of human exposure is fish consumption, since it is well documented that some pollutants of concern accumulate in fish, and fishing is a very popular pastime in the Great Lakes.

Preliminary results from the first phase of this research indicate an association between consumption of contaminated fish and human body burdens of persistent toxic substances, including PCB's, organochlorines, and heavy metals such as mercury and lead. One ongoing study component of the overall project suggests that there is a positive connection between the amount of Lake Ontario fish consumed by mothers and adverse neurobehavioral effects in their children.

The information being gathered through this research is crucial to making well-informed decisions about environmental protection in the Great Lakes. Its findings are extremely useful in the development of a uniform fish advisory for the entire Great Lakes, rather than the confusing system currently in place where each State warns anglers and consumers of slightly different hazards to health. This uniform approach's key components have received the endorsement of the Michigan Environmental Science Board. And, the data being gathered will help guide policymakers in addressing possibly one of the most challenging issues facing the Great Lakes region—contaminated sediments.

As my colleagues may know, there are many areas of concern in the Great Lakes. These areas are frequently harbors or watersheds drainage areas that have experienced significant industrial activity. The sediment in these areas has become contaminated with any number of persistent pollutants. Despite reductions in point source discharges, and projected decreasing emissions from air sources that deposit toxics in the Great Lakes, the reservoir of contaminants already in sediments will continue to degrade water quality and therefore increase opportunities for human exposure. We must continue our efforts to remove or treat these sediments, but we will need guidance from well-conducted, peer-reviewed scientific work like that provided by the ATSDR to prioritize our efforts. Also, I would like to once again strongly urge the U.S. Environmental Protection Agency to submit its very tardy report to Congress providing the results of a comprehensive national survey of aquatic sediment quality. This too is important data we need to attack the problem of contaminated sediments.

Extending this research effort is necessary to help track the long-term effects of pollutants on human health. This bill authorizes an extension until 1999 and requires an additional report to Congress at the conclusion of the research. Also, the bill clarifies the purpose of the research consistent with scientific recommendations and the preliminary study results.

Mr. President, I am hopeful that all my colleagues from the Great Lakes region and Senators representing other areas that suffer from water quality problems will join me in cosponsoring this bill. We need more means and data by which we can measure our environmental protection progress and efficiently target our limited resources. This research program is a small, but very important part of that effort. We cannot afford to make decisions without the information that is coming out of the ATSDR research. Our children's future depends on it.

Mr. GLENN. Mr. President, I rise today in support for the reauthorization of the Agency for Toxic Substances and Disease Registry's [ATSDR] study examining the connection between consumption of contaminated fish and human health.

I am honored to join my colleagues, Senators LEVIN, KOHL, and DEWINE, in the reauthorization of this study of immense importance to the people of the Great Lakes basin. I am also pleased that my Ohio colleague, Congressman LATOURETTE, and Congressman OBERSTAR have introduced companion legislation in the House of Representatives. That bill was successfully included in the House-passed Clean Water Act Reauthorization.

As you may know, the Great Lakes States have fish advisories warning the public against consumption of certain fish at particular levels due to contamination. This bill would continue a research program designed to investigate and characterize the association between the consumption of contaminated Great Lakes fish and short- and long-term harmful human health effects. The ATSDR study develops a body of knowledge on exposure pathways, body burdens, and associated human health effects in defined at-risk populations. These populations include sport anglers, the urban poor, pregnant women and their children, native Americans, and elderly.

This body of knowledge has a variety of potential and beneficial uses. Perhaps most importantly, it may be used to assist State and local agencies in developing fish advisories, remedial action plans, and lake-wide management plans. The study's findings may also increase general public awareness of the health implications of the toxic pollution in the lakes, and provide a study model for other human health research.

Congress has recognized the merits of this human health effects research in the past. I thank my Great Lakes colleagues for their continued support in the effort to understand the impacts of consuming contaminated fish and hope others will recognize the merits of reauthorizing the ATSDR human health effects research.

ADDITIONAL COSPONSORS

S. 704

At the request of Mr. SIMON, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 704, a bill to establish the Gambling Impact Study Commission.

S. 837

At the request of Mr. WARNER, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of S. 837, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of James Madison.

S. 942

At the request of Mr. BOND, the names of the Senator from Virginia [Mr. ROBB], the Senator from South Dakota [Mr. PRESSLER], the Senator from Idaho [Mr. KEMPTHORNE], the Senator from Ohio [Mr. DEWINE], the Senator from Alaska [Mr. STEVENS], and

the Senator from North Carolina [Mr. FAIRCLOTH] were added as cosponsors of S. 942, a bill to promote increased understanding of Federal regulations and increased voluntary compliance with such regulations by small entities, to provide for the designation of regional ombudsmen and oversight boards to monitor the enforcement practices of certain Federal agencies with respect to small business concerns, to provide relief from excessive and arbitrary regulatory enforcement actions against small entities, and for other purposes.

S. 1028

At the request of Mrs. KASSEBAUM, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1028, a bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes.

S. 1183

At the request of Mr. HATFIELD, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1183, a bill to amend the Act of March 3, 1931 (known as the Davis-Bacon Act), to revise the standards for coverage under the Act, and for other purposes.

S. 1344

At the request of Mr. HEFLIN, the names of the Senator from New Mexico [Mr. BINGAMAN] and the Senator from Georgia [Mr. NUNN] were added as cosponsors of S. 1344, a bill to repeal the requirement relating to specific statutory authorization for increases in judicial salaries, to provide for automatic annual increases for judicial salaries, and for other purposes.

S. 1360

At the request of Mr. BENNETT, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 1360, a bill to ensure personal privacy with respect to medical records and health care-related information, and for other purposes.

S. 1416

At the request of Mr. HATFIELD, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1416, a bill to establish limitation with respect to the disclosure and use of genetic information, and for other purposes.

S. 1553

At the request of Mr. HARKIN, his name was added as a cosponsor of S. 1553, a bill to provide that members of the Armed Forces performing services for the peacekeeping effort in the Republic of Bosnia and Herzegovina shall be entitled to certain tax benefits in the same manner as if such services were performed in a combat zone.

S. 1560

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 1560, a bill to require Colombia to meet anti-narcotics performance standards for continued assistance and to require a report on the counter-narcotics efforts of Colombia.

S. 1568

At the request of Mr. HATCH, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 1568, a bill to amend the Internal Revenue Code of 1986 to provide for the extension of certain expiring provisions.

SENATE CONCURRENT RESOLUTION 43

At the request of Mr. THOMAS, the names of the Senator from Minnesota [Mr. GRAMS], and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of Senate Concurrent Resolution 43, a concurrent resolution expressing the sense of the Congress regarding proposed missile tests by the People's Republic of China.

SENATE RESOLUTION 215

At the request of Mr. LAUTENBERG, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of Senate Resolution 215, A resolution to designate June 19, 1996, as "National Baseball Day".

SENATE RESOLUTION 217

At the request of Mrs. KASSEBAUM, the names of the Senator from Georgia [Mr. NUNN], the Senator from Massachusetts [Mr. KERRY], the Senator from Rhode Island [Mr. CHAFEE], the Senator from New York [Mr. MOYNIHAN], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of Senate Resolution 217, a resolution to designate the first Friday in May 1996, as "American Foreign Service Day" in recognition of the men and women who have served or are presently serving in the American Foreign Service, and to honor those in the American Foreign Service who have given their lives in the line of duty.

SENATE RESOLUTION 224

At the request of Mr. D'AMATO, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of Senate Resolution 224, a resolution to designate September 23, 1996, as "National Baseball Heritage Day."

SENATE RESOLUTION 226

At the request of Mr. DOMENICI, the name of the Senator from California [Mrs. BOXER) was added as a cosponsor of Senate Resolution 226, a resolution to proclaim the week of October 13 through October 19, 1996, as "National Character Counts Week."

AMENDMENTS SUBMITTED

THE FEDERAL FUNDS FULL INVESTMENT ACT OF 1996

MOYNIHAN AMENDMENT NO. 3465

Mr. MOYNIHAN proposed an amendment to the bill (H.R. 3021) to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States; as follows:

Strike all matter after the enactment clause and insert the following:

TITLE —PUBLIC DEBT LIMIT

SEC. 01. INCREASE IN PUBLIC DEBT LIMIT.

Subsection (b) of section 3101 of title 31, United States Code, is amended by striking the dollar amount contained in the first sentence and inserting "$5,400,000,000,000".

NOTICE OF HEARING

SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. CAMPBELL. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, March 21, 1996, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to review S. 305, a bill to establish the Shenandoah Valley National Battlefields and Commission in the Commonwealth of Virginia; H.R. 1091, a bill to improve the National Park System in the Commonwealth of Virginia; S. 1225, a bill to require the Secretary of the Interior to conduct an inventory of historic sites, buildings, and artifacts in the Champlain Valley and the upper Hudson River Valley; S. 1226, a bill to require the Secretary of the Interior to prepare a study of battlefields of the Revolutionary War and the War of 1812, to establish an American Battlefield Protection Program; and Senate Joint Resolution 42, a joint resolution designating the Civil War Center at Louisiana State University as the "United States Civil War Center," making the center the flagship institution for planning the sesquicentennial commemoration of the Civil War.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Parks, Historic Preservation, and Recreation, Committee on Energy and Natural Resources, U.S. Senate, 364 Dirksen Senate Office Building, Washington, DC 20510–6150.

For further information, please contact Jim O'Toole of the subcommittee staff at (202) 224–5161.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Thursday, March 7, 1996, in executive session, to consider pending military nominations, to be immediately followed by an open session at 10 a.m. to consider the nomination of Mr. Kenneth H. Bacon to be Assistant Secretary of Defense for Public Affairs, Mr. Franklin D. Kramer to be Assistant Secretary of Defense for International Affairs, and Mr. Alvin L. Alm to be Assistant Secretary of Energy for Environmental Management.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet during the Thursday, March 7, 1996, session of the Senate for the purpose of conducting a hearing on air bag safety.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, March 7, 1996, at 9:30 a.m., for a hearing on S. 356, Language of Government Act of 1995.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Thursday, March 7, 1996, at 10 a.m., in SD-106.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the Reauthorization of National Institutes of Health, during the session of the Senate on Thursday, March 7, 1996, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, March 7, 1996, at 3:00 p.m., in SH-219 to hold a closed briefing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations be authorized to hold a joint meeting with the House Subcommittee on Asia and the Pacific of the Committee on International Relations meet during the session of the Senate on Thursday, March 7, 1996, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, March 7, 1996, for the purposes of conducting a subcommittee hearing which is scheduled to begin at 1 p.m. The purpose of this oversight hearing is to receive testimony on S. 393 and H.R. 924, the Angeles National Forest Land.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, March 7, 1996, for purposes of conducting a subcommittee hearing which is scheduled to begin at 9:30 a.m. The purpose of this oversight hearing is to review S. 745, a bill to require the National Park Service to eradicate brucellosis afflicting the bison in Yellowstone National Park; S. 796 and H.R. 238, a bill to provide for the protection of wild horses within the Ozark National Scenic Riverways, MO, and prohibit the removal of such horses; and S. 1451, a bill to authorize an agreement between the Secretary of the Interior and a State providing for the continued operation by State employees of national parks in the State during any period in which the National Park Service is unable to maintain the normal level of park operations.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

FAITH IN ACTION

• Mr. COHEN. Mr. President, I rise today to take a moment to praise a worthy nonprofit organization that is having a real impact on four communities in my home State of Maine. The organization is Faith in Action, a national program of the Robert Wood Johnson Foundation that in 1993 began providing technical assistance and startup grants to help develop interfaith volunteer projects that focus on helping those in need of care from the community.

During the first 2 years of the program, Faith in Action limited its grants to faith coalitions—churches, temples, and synagogues—that wanted to begin volunteer care giving projects within their community A total of 800 such projects will be funded over 4 years of this initiative. In 1995, Faith In Action expanded its criteria, and now encourages health and social service agencies to join with congregations to develop new projects. Each approved coalition is awarded a $25,000 grant to assist people in the community of all ages who have special needs.

Over the last year, these grants have helped fund important projects in four communities in Maine: Portland, Bangor, Richmond, and Lubec. In Bangor, two Faith in Action programs are up and running, providing the frail elderly residents in and around that city with a variety of assistance. Developed by St. Joseph Healthcare, in conjunction with area churches and synagogues, the project assesses the needs of elderly residents, particularly improving their access to quality health care. Volunteers provide transportation, home visits, help in meal preparation, light housekeeping or repairs in the home, and other services to assist the elderly who want to maintain some independence, but cannot do everything for themselves.

A similar project is starting up in the small town of Richmond, where the grant money is being used to assist the homebound elderly with transportation, companionship, and other services. A new facility has opened in that town for those elderly residents who need some living assistance, but do not qualify for a nursing home. Some of the Faith in Action funds went toward the purchase of a van to help these residents get to and from the grocery store, pharmacy, and other errands. A grant in Portland is targeted for persons who have acquired brain injuries and will go toward meeting the special needs of that population. And far up the coast, in the town of Lubec, a Faith in Action grant is being used to help meet the needs of children, adults, and seniors who are receiving hospice care.

The common link between all these projects, of course, is the members of the community reaching out to help those within their city or town who need their help. Faith in Action grants are rooted in voluntarism, and in linking the different religious communities within a city or town to work together to better serve the community. Only by working together can we solve some of the many problems within our cities and towns.

As chairman of the Senate Special Committee on Aging, I am extremely aware of the daunting demographics that we face in the coming decades.

More than 33 million Americans are over the age of 65 today—a number that will double in the coming three decades. We need to prepare now to meet the needs of today's aging population. Faith in Action is an organization with the vision to meet that goal, by encouraging the diverse members of a community to work with one another to address the special needs of individuals within that community. We need to encourage more and more people to get involved in Faith in Action volunteer projects, or in any volunteer project at all. We can do so much for each other, even if it is only for a few hours each month.

I congratulate the organizations in Maine that have already received Faith in Action grants and are putting them to such important use. I encourage other churches, synagogues, and temples in Maine and around the country to contact their local health and social service agencies and see if they can come up with a project that might serve the needs of the elderly or disabled in their community. Finally, I salute Faith in Action and the Robert Wood Johnson Foundation for their dedication to these projects—keep up the good work.•

REFORM IN RUSSIA

• Mr. FEINGOLD. Mr. President, on February 5, Russia's Commission on Human Rights of the Russian Federation issued its report, "On the Observance of the Rights of Man and the Citizen in the Russian Federation." The report covers the years 1994–1995 and its conclusion is troubling: "the human rights situation in the Russian Federation has remained extremely unsatisfactory." The commission observed that constitutional guarantees for human rights and civil liberties "remain largely rhetorical" and that "in many aspects of civil and political rights and liberties there has been a distinct retreat from democratic achievements."

In support of its finding, the commission noted, inter alia: an increasing militarization of society; growth in the jurisdiction and powers of the security forces; the use of force to resolve domestic affairs, as in Chechnya; aggravation of racial and ethnic intolerance and discrimination; and the termination of state support for human rights organizations and offices. "Political expediency," the commission charges, "increasingly takes precedence over fundamental principles of law and respect for human rights and dignity," a cause "for grave concern."

Mr. President, only this past week the former head of the commission, Sergei Kovalev, was in Washington to testify before the Commission on Security and Cooperation in Europe [CSCE], also known as the Helsinki Commission and on which I have recently been appointed to serve. Mr. Kovalev was president of Russia's Commission on Human Rights from its inception in October 1993 until he submitted his resignation on January 23 of this year. The commission's report bears his stamp. His resignation was in protest over the very matters I have just noted: the fear that Russia's leaders are paying only lip service to democratic and economic reform and contemplating a return to the worst features of Soviet-era authoritarian rule.

Mr. Kovalev's testimony last week focused on the fighting in Chechnya, about which I will comment further below, but he has a long history of fighting for human rights, including as a political prisoner in the former Soviet Union. His voice is among the most respected in Russia; he maintained his seat in Russia's State Duma despite the resurgence of the Communists in December's parliamentary elections.

In his letter of resignation to President Yeltsin, Mr. Kovalev wrote:

> Even though you continue to proclaim your undying devotion to democratic ideals, you have at first slowly, and then more and more abruptly, changed the course of your government policy. Now your government is trying to turn the country in a direction completely contrary to the one proclaimed in August 1991.

He then goes on to analyze President Yeltsin's swing toward authoritarianism. Mr. Kovalev questions President Yeltsin's commitment to the basic hallmarks of democracy, when he has "virtually halted judicial reform", and thwarted transparency and accountability with the creation of secret institutions and constant issuing of secret decrees.

Mr. President, in the past 6 years, we have witnessed amazing democratic and economic transformations in Russia. While these radical changes have borne some difficult and unfortunate challenges both in Russia and the international arena, Russia had been on a course of reform that we embraced. We counted on President Yeltsin, whose own personal metamorphosis had apparently paralleled his nation's, to lead Russia through these challenges. But now there are troubling signs of erosion of Yeltsin's genuine commitment to reform which, if continued, could have detrimental consequences for the U.S. national interest. Our interest lies in the continuation of reform in Russia—whether led by President Yeltsin or not.

As we wait for more reform in Russia, President Yeltsin has tried to reassure the international community with positive words and uplifting promises. But some of the actions we have seen in recent weeks, including the sacking of his respected economic advisor and other Cabinet-level reformers, lend pause. The replacements have been Soviet-era hardliners resistant to reform and internationalism. Many people have voiced reservations about President Yeltsin's authoritarian tendencies, and hope that it may just be election year posturing, a response to the decidedly antireform results of last month's parliamentary elections in Russia. The question we must ask is how far on the slippery slope do we go with President Yeltsin? When do his attempts to appease hardline critics leave Russia in the same boat he claims to want to avoid?

Mr. Kovalev testified about the excessive use of force in Chechnya and I join in his condemnation of practices repugnant to human dignity. It is clear that the fighting in Chechnya is war; the combatants on both sides are committed to a cause. But even in war, there are standards of respect for human rights and for civilized conduct. These have been violated on both sides of the conflict and both deserve condemnation.

But Russia, as a sovereign state, and as a member of the Organization for Security and Cooperation in Europe, has a special obligation to avoid civilian casualties during hostilities on its own territory. The practice of calling in indiscriminate airstrikes on Chechnyan villages must end, just as surely as the Chechnyan practice of terrorism must stop.

The overall slowing and, in fact, apparent retreat by Russia's leadership in human rights and reform brings into question the future direction of United States-Russia relations, as well as Russia's place in post-cold war alliances, in doubt. President Clinton and Secretary Christopher are right to do all they can to work with the new Russian officials and offer constructive support wherever we can to advance the cause of reform. But we must keep our eye on the ball: our goal is reform—democratic, economic, and military reform—and support for President Yeltsin to the extent that he will deliver those reforms.

I conclude by quoting from Mr. Kovalev's March 6 testimony to the CSCE in which he, in turn, drew on the wisdom of one of Russia's leading proponents of democracy and human rights, Andrei Sakharov:

> The West should have a two-track policy (towards Russia): assistance and pressure. Assist, and effectively assist—the growing civil society and democratic movement in (our) country. Exert pressure, and strong pressure—on those forces that oppose peace, human rights and progress.•

DISAPPROVAL OF ADMINISTRATION'S CERTIFICATION OF MEXICO

• Mr. D'AMATO. Mr. President, I rise today to further comment on a joint resolution introduced on March 5, 1996, that disapproves of the administration's certification of Mexico. I am joined by my colleagues Senator HELMS, Senator MCCONNELL, and Senator PRESSLER who are original cosponsors of Senate Joint Resolution 50, but

were inadvertently omitted as original cosponsors upon introduction. I also urge its immediate passage.

In order to determine if a country has cooperated fully with the United States, the President must evaluate the country's efforts in several areas: their efforts to reduce cultivation of illegal drugs, their interdiction efforts, the swift, decisive action by the Government against corruption within its ranks and their extradition of drug traffickers. The results of the Government's efforts are the true indication of success. These same standards should also be used when Congress measures the accomplishments of foreign governments.

As required under the Foreign Assistance Act, the President released his list on March 1 and granted Mexico full certification. That designation is completely unacceptable, and undeserved. And for that reason, my colleagues and I are introducing this joint resolution of disapproval of Mexico's certification.

Mexico is a sieve. For the President to certify that Mexico is complying with antinarcotics efforts and curbing the export of drugs across the border is simply not supported by the facts.

Our own Drug Enforcement Agency [DEA] estimates that up to 70 percent of all illegal drugs found in the United States come from Mexico. Seventy-five percent of the cocaine in the United States is said to have come from Mexico. Virtually all of the heroin produced in Mexico is trafficked in the United States. These numbers certainly do not sound like full cooperation to me. From these numbers alone, it seems as though the Mexican Government has failed horribly in its efforts to curb the flow of drugs into the United States. Even the International Narcotics Control Strategy Report just released by the State Department states that "no country in the world poses a more immediate narcotics threat to the United States than Mexico." Our own State Department says this.

Even efforts to end police corruption have failed because the drug trade has infiltrated the Mexican law enforcement community. Robert Gelbard, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs in a congressional hearing, stated that "we have always been aware—and acknowledge—that law enforcement corruption in Mexico is a deeply entrenched, serious obstacle to bilateral antinarcotics cooperation." The State Department, in their 1996 Strategy Report, while acknowledging some efforts by the Mexican Government, indicates the continuation of official corruption by stating that, "endemic corruption continued to undermine both policy initiatives and law enforcement operations."

It is time that the Mexican Government takes aggressive action against drug traffickers. Promises are no longer adequate. Among other steps that should be taken, Mexico should be arresting and extraditing more of its cartel leaders. Mexico must comply with the 165 outstanding requests for extradition by the United States. That would be real cooperation.

The Mexican Government should also swiftly enact legislation stemming the growing problem of money laundering and enforce its anticorruption laws. There are no reporting requirements if an individual walks up to an exchange center with suitcases filled with cash. This should be adequate evidence that Mexico needs reporting requirements of large cash transactions. Action to identify and prosecute officials that interfere with the investigation, prosecution, or have assisted in the drug trade, must occur with greater frequency if government officials are to be trusted.

For the President to claim that Mexico has been fully cooperating to end the scourge of drugs is beyond belief. I hope that the Senate will now closely analyze and debate the extent of Mexico's participation in the illegal drug trade. Then we should ask ourselves, "Is the Mexican Government taking actions that actually slows the flow of drugs?" It seems as though it has not.

The Mexican Government must do more to fight the narcotics industry that has permeated the lives of the Mexican people and the economy of Mexico. The drug trade is worth tens of billion of dollars to Mexico. No wonder Mexico is having difficulty decreasing the flow of drugs from their country into ours. There is too much money involved.

Mexico is now being used to store cocaine from Colombia for shipment into the United States. The cartels may be storing as much as 70 to 100 tons of cocaine in Mexico at any one time. With a developing narcotics infrastructure and its close proximity to the United States, Mexico has proven to be an asset that the cartels do not want to lose. And now there are reports that the Mexican gangs may soon take over the drug trafficking from the Cali cartel. It is ironic then that Colombia, the source country, was decertified while Mexico was fully certified.

I must also add that I have heard that some foreign officials believe our certification process is illegitimate. This is the height of arrogance. What is illegitimate about placing conditions on our foreign aid and requiring the recipient to curb the flow of drugs?

The certification process has the net effect of bringing the drug problem to the forefront, not only for the United States but also for Mexico. It seems as though only when a government is forced to confront the problem as difficult as the drug trade will a solution be found.

As a result of the amount of drugs that are found to have come into the United States through Mexico, we know that Mexico has failed to stem the international drug trade. If this administration does not want to recognize Mexico's failure, then it is up to Congress to do so. Again, I encourage my colleagues to join us in this effort.●

RECOGNIZING THE ODELSON FAMILY

● Mr. SIMON. Mr. President, the late Sam and Rose Odelson of Chicago had 13 children, 8 of whom served in the U.S. Armed Forces during World War II. Their contributions should be recognized.

Four sons served in Europe, three in the Pacific, and one in the States. Two were injured in combat, and altogether, they earned 20 battle stars.

Oscar served in the U.S. Army in Italy. Sidney, an Army veteran who landed at Omaha Beach served in France and Germany. Joe was also in the Army, serving near the tail end of the war in southern France. Julius was 89th Airborne, Roy was in the Army Air Corps, Ben served with the 13th Air Force in the South Pacific for over 2 years, and Mike was an MP in the Philippines.

All the eight Odelson boys returned home after the war. A few stayed in Chicago, the others moved out to sunny California to work in the insurance, furniture, or restaurant business.

With the recent commemoration of the 50th anniversary of World War II, it is fitting to recognize the achievements of this family. I salute these brothers and their family for their selfless commitment to our country.●

CONDEMNING THE CAMPAIGN OF TERROR AGAINST ISRAEL

● Mr. BIDEN. Mr. President, in a statement last week I condemned two terrorist bombings which took place in Jerusalem and Ashkelon 12 days ago. I did not think that it would be so soon that events would bring me once again to this floor to condemn another pair of cowardly attacks against innocent people, including young children.

Today, Israelis are justifiably shocked, disgusted, and angry. To bring home just what Israel is experiencing, let me provide a vivid comparison. On a proportional basis, the number of people killed by terrorists in Israel over the past 12 days would be equivalent to over 3,000 Americans killed. Imagine what our reaction would be if over 3,000 Americans were murdered in terrorist attacks in such a short period.

I dare say that our fundamental sense of stability and security as a nation would be shaken to its very core. That is what Israelis are feeling today.

As difficult as it is in this moment of grief and anger, we have to recognize the motive of those behind these dastardly attacks. Their single-minded aim is to end the peace process cold.

We cannot let them have the satisfaction of that kind of victory. We must resist the urge of our raw emotions in the wake of these outrageous attacks. We must not discard the remarkable achievements of the past 3 years, for that would play directly into the hands of the terrorists.

Last week, I urged that the peace process continue. I believe that even more firmly now.

The terrorists can be defeated through a two-pronged strategy. First, there must be intensified efforts to destroy the infrastructure and network that are ultimately behind terrorist actions. In that regard, I commend President Clinton for offering technical assistance to the Israelis and Palestinians in the war against terror. Second, we must prove to the terrorists that their actions are not producing the desired results. That means moving forward undaunted with the peace process.

Last week, I appealed to the Palestinian majority that supports peace to join the battle against terror with renewed vigor because it is their future that is most at stake. I renew that call today. If these attacks continue, then the Palestinian experience with self-government could become a fleeting memory.

Mr. President, in my remarks today I have used the term "war"—the same term Prime Minister Shimon Peres has used to describe the state of affairs between Israel and Hamas. It is an appropriate term to use, and unlike many wars this one is a clear-cut conflict between good and evil.

A victory by the pro-peace majority of Israelis and Palestinians could lead the way to a thriving, vibrant, and cooperative Middle East. A victory by Hamas and its extremist allies on both sides will mean conflict, bloodshed, and division long into the future.

In this war, as in all of Israel's wars, the United States will stand by Israel and do whatever it takes to ensure victory.

Mr. President, Israel has endured much suffering in its short history, and it has shown remarkable fortitude in the face of terrorism and other attempts to destroy it. The Israeli people have always thwarted the designs of those who have tried every means to eliminate their country. I have no doubt that they will prevail in their present struggle against those who have declared war against Israel, the peace process, and, indeed civilization itself.●

REPORT OF SENATE DELEGATION'S TRIP TO THE MIDDLE EAST

● Mr. PELL. Mr. President, in February, I led a congressional delegation on a trip to Jordan, Syria, Israel, and Cyprus. I was pleased to be joined on this trip by the distinguished Senators from Virginia and Oklahoma—Senators ROBB and INHOFE.

On our trip, Senator INHOFE, Senator ROBB, and I focused primarily on the Middle East peace process, including prospects for a peace treaty between Israel and Syria, as well as the implementation of Israel's peace agreements with Jordan and the Palestinians. During our stop in Cyprus, we examined the conflict between the Greek and Turkish Cypriots and the likelihood of a peaceful, negotiated settlement.

Since our return, the Middle East—and specifically Israel—has been wracked by an unimaginable wave of violence and terror. The murder of scores of innocent Israelis, as well as Palestinians, Americans, and other civilians, has cast an unmistakable pall over the peace process. To be frank, I am not sure that any supporter of the peace process, be they in Israel, the Palestinian autonomous zone, or the United States, has a clear idea of what the future holds.

My own hope is that the process can survive this unspeakable assault. Our recent trip reaffirmed for me the clear fact that the terrorists are the enemies of peace. If the terrorists succeed in destroying the peace process, then they will be rewarded for their depravity. I do not think such an outcome would be right or fair.

Mr. President, the Senate already has responded to some of the terrorist bombings in Israel. Scarcely a week ago, the Senate passed a resolution to condemn the perpetrators, to commiserate with the victims, to express continued support for our ally, Israel. In a shocking indication of how frequent these incidents have become, however, the Senate will soon consider yet another resolution that condemns two more bombings that have occurred since the passage of the last resolution.

Above and beyond these resolutions, I would expect that there may be some deep soul searching in both the Congress and the administration about the American role in coordinating the peace process. In this regard, I thought it might be useful to share with my colleagues the report that our Senate delegation made on its recent trip to the Middle East. As I said a moment ago, our trip preceded the recent wave of terror, but I think that our observations, conclusions, and recommendations remain timely and important.

Mr. President, I ask that our delegation's executive summary be printed in the RECORD.

The summary follows:

LETTER OF TRANSMITTAL,

FEBRUARY 23, 1996.

Hon. JESSE HELMS,
Chairman, Senate Committee on Foreign Relations, Washington, DC.

DEAR MR. CHAIRMAN: From February 7–14, 1996, our Senate delegation traveled to the Eastern Mediterranean, visiting Jordan, Syria, Israel, and Cyprus. The delegation, led by Senator Claiborne Pell, Democrat from Rhode Island and Ranking Minority Member of the Senate Committee on Foreign Relations, included Senator Charles S. Robb, Democrat from Virginia and a Member of the Senate Committees on Foreign Relations, Armed Services and Intelligence; and Senator James Inhofe, Republican from Oklahoma and a Member of the Senate Committees on Armed Services and Intelligence. We were accompanied by Senate Foreign Relations Committee staff members Edwin K. Hall (Minority Staff Director and Chief Counsel), George A. Pickart (Minority Professional Staff Member for the Near East and South Asia), and Peter M. Cleveland (Minority Professional Staff Member for East Asia and the Pacific) and by Jay C. Ghazal (Legislative Assistant to Senator Pell for Defense Issues).

The purpose of the trip was to focus on the Middle East peace process, including prospects for a successful conclusion to the bilateral negotiations between Israel and Syria, and the status of the implementation of Israel's peace agreements with Jordan and the Palestinians. We also examined the potential for a peaceful and negotiated settlement to the conflict on Cyprus.

In Jordan the delegation met with His Majesty King Hussein bin Talal, Her Majesty Queen Noor, and with newly-appointed Foreign Minister Abdal Karim al-Kabariti; in Syria with Foreign Minister Farouq al-Shara and Vice President Abdal Halim Khaddam; in Israel with Prime Minister Shimon Peres and with representatives of the Israel Defense Forces on the Golan Heights; in Gaza with PLO Chairman Yasser Arafat and newly elected Palestinian Council members Haider Abdel Shafi, Ziyad Abu Amer, and Riyad Zanoun; and in Cyprus with President Glafcos Clerides, House President Alexis Galanos, and Turkish Cypriot leader Rauf Denktash. In addition, Senators Robb and Inhofe, both members of the Senate Select Committee on Intelligence, met separately with U.S. intelligence officials on matters pertaining to the region.

Our visit to the region coincided with a period of intense activity with regard to the peace process and other matters:

On the day of our arrival in Israel, Prime Minister Shimon Peres called for early elections in an effort to secure a mandate for his peace negotiations with Syria;

Syria and Israel, fresh from a scheduled break in their negotiations at Wye Plantation in Maryland, had just hosted a shuttle visit by U.S. Secretary of State Warren Christopher;

The Palestinians had just concluded elections for a chief executive—a vote won overwhelmingly by PLO Chairman Yasser Arafat—and an 88 member council;

On the day we traveled to Gaza, Israel had sealed its borders with the Palestinian autonomous area for security reasons, one of many closures since the onset of self-rule;

Israel and Jordan continued to work out arrangements to implement their recent peace treaty, at the same time that King Hussein exhibited a more aggressive posture towards Iraq;

As Ankara grappled with forming a new government and as Athens installed new leadership, tensions flared between Turkey and Greece over an uninhabited Dodecanese islet, and a visit by a high-level U.S. envoy to mediate over Cyprus was cancelled.

We would like to commend the dedicated U.S. Foreign Service personnel at the American Embassies in Jordan, Syria, Israel and Cyprus, and at the U.S. Consulate General in

Jerusalem, for their assistance and support during our trip. In particular, we would like to express our deep appreciation to Ambassador Wesley W. Egan, Jr. and Deputy Political Counselor Margot Sullivan in Amman; Ambassador Christopher W.S. Ross and Political Officer Laurence Silverman in Damascus; Ambassador Martin S. Indyk and Political Officer John Hall in Tel Aviv; Consul General Edward G. Abington, Jr. and Political Officer Gina Abercrombie-Winstanley in Jerusalem; and Ambassador Richard A. Boucher and Political Officer John Lister in Nicosia, for their special efforts to make our trip a success.

We would also like to thank our military escort, Commander Sean Fogarty (USN), as well as Commander Joe Malone (USN), and YN1 Dwight Brisbane (USN) for their exceptional work in support of the delegation.

This report attempts to present a snapshot of the circumstances at the time of our visit. Our visit, it should be noted, preceded the recent wave of terrorist bombings in Israel, so the report does not address the bombings or their potential impact—which undoubtedly will be quite significant on the region and the prospects for peace. The views expressed are our own, and do not necessarily reflect those of the Senate Committees on Foreign Relations and Armed Services, or the individual members thereof.

Sincerely,

CLAIBORNE PELL.
CHARLES S. ROBB.
JAMES M. INHOFE.

EXECUTIVE SUMMARY

ISRAEL-SYRIA PEACE NEGOTIATIONS

Peace talks between Israel and Syria resumed late last year and showed signs of progress. Syrian and Israeli officials report that serious discussions have taken place under U.S. auspices at Wye Plantation in Maryland, and that the new informal setting helped to produce greater flexibility from both sides.

The parties may become distracted by early elections in Israel and the presidential campaign in the United States, which in turn may prevent them from reaching quick agreement on a peace treaty. But officials from Israel and Syria say substantive negotiations will continue for the foreseeable future and assert that an agreement remains possible.

Notwithstanding the improvements in atmosphere, Syria and Israel still have a tough road ahead in the negotiations:

The relationship between the two countries is plagued by instinctual mistrust;

Difficult decisions remain to be made on security arrangements on the Golan Heights (including the extent of Israel s withdrawal, the dimensions of demilitarized zones, and the possible presence of an international monitoring force including U.S. troops) and on the fabric of the future Israeli-Syrian relationship.

Syrians accept the inevitability of peace with Israel, but appear uncertain of the terms, ill-prepared for a normal relationship and reluctant to accept the concept of a warm peace.

ISRAELI-PALESTINIAN PEACE AGREEMENTS

Assuming the recent terrorist bombings in Israel do not cause the peace process to unravel completely, the "Oslo II" agreement between Israel and the Palestinians will set the stage for the emergence of a permanent Palestinian entity—which Palestinians see as their own state with East Jerusalem as its capital, and which Israelis see as something far short of that.

Palestinian officials, including PLO Chairman Yasser Arafat, bristle at what they perceive to be "unequal" U.S. treatment of Israel and the Palestinians, but acknowledge the importance of their own commitments on security and wish to be seen as working hard to prevent acts of violence and terror against Israelis.

The Palestine National Council will have to decide whether and how to amend the PLO Covenant, which still refers to the destruction of Israel. Arafat clearly recognizes the need to address the issue, but is not yet fully committed to changes that will be as forthcoming and precise as Israel and others would expect.

The Palestinians must develop and refine the institutional basis for their experiment with self-rule. Recent elections succeeded in creating an 88 member council, but council members have yet to meet and seem to lack confidence about their role in Palestinian society and their relationship with Arafat—their powerful chief executive.

ISRAEL-JORDAN PEACE TREATY

Jordan and Israel are implementing their October 1994 peace treaty with vigor and in good faith. As King Hussein stated, "The peace process is over. It's peace building now."

In recent months, King Hussein has taken a new and aggressive posture towards Iraq, granting asylum to two highly-placed Iraqi defectors (who willingly returned to Iraq after our visit and were subsequently murdered), calling for greater coordination among Iraq's fractured opposition, and talking about a federated Iraq. The King's statements and actions present a challenge to Saddam Hussein and have sparked the interest—not all positive—of other regional powers such as Syria.

CYPRUS CONFLICT

The situation in Cyprus, which is closely connected to the relationship between Greece and Turkey, remains jittery and uncertain. The recent escalation of tensions between Ankara and Athens over a small Dodecanese island underscores the acute need to resolve differences between the Greek and Turkish Cypriot leaders.

While some in the Greek and Turkish Cypriot communities appear willing to seek reconciliation, and even with the broad outlines of a solution apparent for some time, a recent attempt by the U.S. Administration to initiate a high-level mission on Cyprus failed to take hold.

The United States stands ready to devote considerable resources and energy to the problem, but the parties offer few prescriptions for improving the current hostile climate. The tendency of the Turkish Cypriot leadership to rehash old grievances when discussing current problems suggests that the impasse may remain for some time.•

PRESIDENT'S DAY

• Mr. NUNN. Mr. President, I rise today to bring to the Senate's attention a practice that has crept into our popular culture with little notice. This practice relates to the Federal holiday we observe every year on the third Monday in February. According to current Federal law, this holiday is "Washington's Birthday" in honor of our great first President. In its de facto observance, however, this holiday has become known as "President's Day" because of its proximity to the birthday of our 16th President, Abraham Lincoln.

This matter was recently brought to my attention by the President of the Society of the Cincinnati. The Society's concern is that by combining the two holidays in popular observance, we dilute the remembrances of the gravity and importance of the achievements of both men—one who fought to found our Nation and one who fought to preserve it. According to law, President Lincoln's birthday is observed on February 12.•

DRUGS AND YOUTH: THE CHALLENGES AHEAD

• Mr. FEINGOLD. Mr. President, last week retired Army General Barry McCaffrey was confirmed by the U.S. Senate to be this Nation's fifth drug czar. Perhaps the biggest, and most important, challenge facing General McCaffrey is the emerging trend of increasing drug use among young people. A recent survey of students in the 8th, 10th and 12th grades yielded some troubling results. According to the annual Monitoring the Future survey, drug use among secondary school students, particularly marijuana, is on the increase. The nationwide study also found that the use of LSD, stimulants, inhalants and hallucinogens also increased, albeit not to the extent of marijuana use.

As a parent, perhaps the most troubling of the study's findings was that which gauged the attitudes of young people regarding the risks of drug use. The proportion of secondary school students who see drug use as dangerous continued to decline in 1995. The significance of this should not be overlooked. In regard to the risk of drug use, the Department of Health and Human Services found that 9 out of 10 adult cocaine users started using drugs as a teenager. The potential problem increases when one considers that there are currently 39 million Americans under the age of 10. Given these demographics, the actual number of teens using drugs will increase when these children reach their late teens and twenties, even if the percentage of users remains the same as it is today. Failure to address these emerging attitudes, in addition to leading to increased youth drug use, may also lead to increased crime and violence which often accompanies drug abuse.

In an effort to learn from the experiences of communities all across the Nation and raise awareness about youth drug use and the violence, President Clinton has invited concerned individuals from all across the Nation to a national summit which is taking place today in Greenbelt, MD. In addition several cities, including Milwaukee, will be joining the summit by video teleconference. Wisconsin will be well

represented both in Greenbelt and Milwaukee.

Among those representing Wisconsin in Greenbelt is Capt. Charles Tubbs of the Beloit Police Department. As head of the department's community relations division, Captain Tubbs has gained national recognition for his efforts in regard to gangs and school related violence. His leadership has led to the development of many community based initiatives which deal directly with the problems associated with young people.

Coordinating the Milwaukee site will be James Mosely, director of the Milwaukee-based, Fighting Back Initiative. This program draws upon many resources from throughout the community to deal directly with the problems associated with drug and alcohol abuse in Milwaukee's north and southside communities.

The national summit presents an opportunity to learn about these community based antidrug efforts as well as others from all across this Nation. A great deal can be learned from the people in our cities and towns who deal with these problems on a daily basis. A comprehensive antidrug policy must develop partnerships which build on the experiences and needs of local communities.

One such partnership involving the Drug Enforcement Agency and law enforcement in northeastern Wisconsin recently resulted in a drug bust garnering 40 pounds of marijuana with an estimated street value of $250,000. The officers of the Brown County Sheriff's Department, as well as the DEA agents who lent a helping hand, deserve our respect and admiration for their willingness to identify a problem and work together to solve it. We should learn from their example, and seek more cooperative efforts of this nature. I am pleased that General McCaffrey has indicated that he intends to do just that.

In closing, Mr. President, Capt. Tubbs and James Mosely are just a few examples of the hundreds of dedicated people all across our State who are committed to helping young people lead better lives and in the process, making our communities better places to live. There can be little doubt that drug use, particularly among our young people, presents a danger and that finding the solution will require the dedication of each of us. As General McCaffrey acknowledged, solving the drug problem will not occur overnight, it will take a determined and consistent effort over a number of years. Building on the good work and experiences of people like Charles Tubbs and James Mosely is a good place to start.•

TRIBUTE TO BRIAN KLINEFELTER, SLAIN POLICE OFFICER

• Mr. WELLSTONE. Mr. President, I rise to pay tribute to a very brave man, to police officer Brian Klinefelter who sacrificed his life on January 29, 1996, in the line of duty. He was shot to death when he approached three robbery suspects whom he had pulled over on a dark county road. Backup was only 2 minutes away, and his shift had ended about 15 minutes before the incident occurred.

It is a tragedy when any policeman falls in the line of duty. However, this occurred in St. Joseph, a small town were officer Brian Klinefelter was known by most on a first-name basis. Admired by young and old, his untimely death had an immediate impact on this close-knit, central Minnesota community.

As a small boy, Brian Klinefelter had always dreamed of becoming a police officer. He was a 1988 graduate of Apollo High School where he played football and he received his police training at Alexandria Technical College. He had been a policeman with the six member St. Joseph Police for 2½ years, and he had proudly built his career on dedication and commitment. At the age of 25 he was nominated for the top award of Officer of the Year after talking an armed gunman into surrendering in August, 1995.

Brian's death was especially hard for the citizens of St. Joseph because it was the first death of a policeman and the first in the St. Cloud area in more than 57 years. His slaying marked the 178th death of a peace officer in the line of duty in Minnesota in the past 114 years. Over 2,200 people attended his funeral, including over 1,600 law officers with a stream of more than 500 squad cars from the Midwest and Canada.

Friends and colleagues remember Brian as a very caring person with a big heart who loved being a law enforcement officer. He was a devoted and loving husband, a wonderful father, a caring and beloved son, a generous and loving brother, a loyal friend, and a fine policeman who dedicated his life to defending the peace. As we honor him, I want to share with you a part of his family's memories, "Brian's love and dedication to his profession should serve as a model for everyone in their lives."

I extend my deepest, heartfelt sympathy to his devoted wife, Wendy and his baby daughter Katelyn, and his parents, siblings, and fellow officers. Officer Brian Klinefelter leaves a rich legacy of protecting the lives and property of his fellow citizens, and we will never forget this gallant man.•

ORDERS FOR MONDAY, MARCH 11, 1996

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon, Monday, March 11, further, that immediately following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and the Senate begin a period for the transaction of routine morning business, with Senators permitted to speak for up to 10 minutes each, with the following exception: Senator MURKOWSKI for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I further ask unanimous consent that at 1 p.m., on Monday, the Senate immediately turn to the continuing resolution, H.R. 3019.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. LOTT. Mr. President, for the information of all Senators, the Senate will begin consideration of the continuing resolution at 1 p.m., on Monday. Several amendments are expected to be offered. However, any votes with respect to those amendments will be postponed to occur on Tuesday, at a time to be determined by the two leaders. Therefore, there will be no rollcall votes during Monday's session of the Senate.

In addition, Mr. President, a cloture motion was filed on both the D.C. appropriations conference report and the legislation with respect to Whitewater. Under a previous order, those two cloture votes will occur beginning at 2:15 p.m., Tuesday, and they will be back-to-back votes. Additional amendments and votes will occur on Tuesday with respect to the continuing resolution. It is the hope of the leadership that the continuing resolution can be completed by the close of business Tuesday.

ADJOURNMENT UNTIL MONDAY, MARCH 11, 1996

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:17 p.m., adjourned until Monday, March 11, 1996, at 12 noon.